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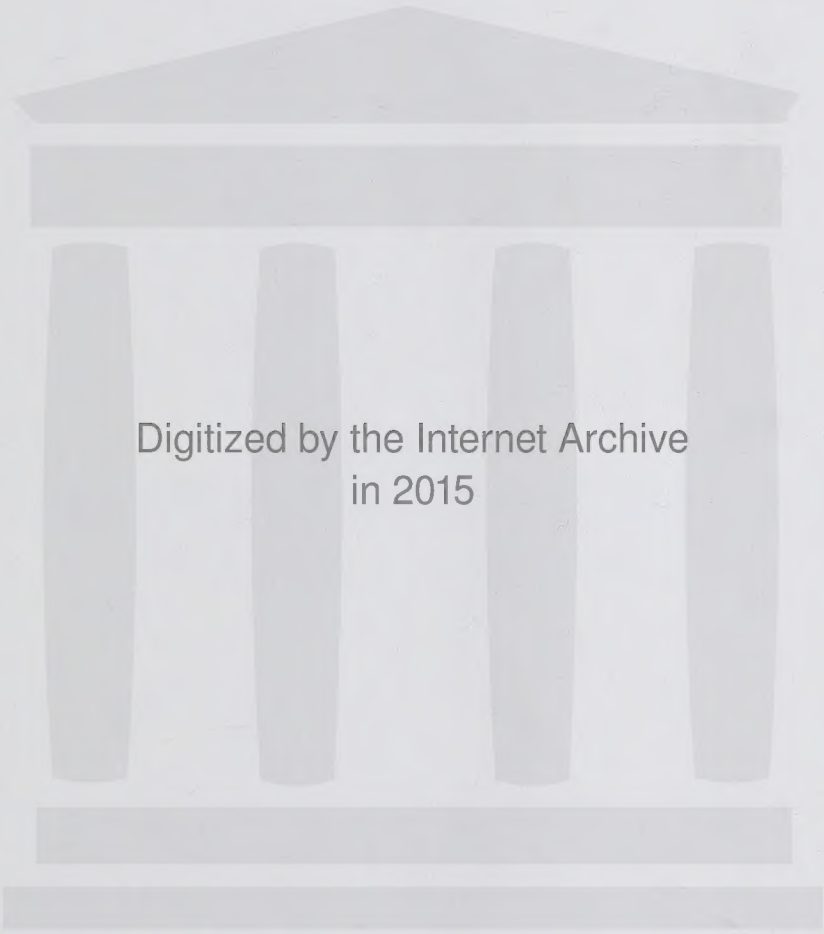
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THE CHRONICLES OF OKLAHOMA

VOLUME XLVII, 1969

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THE CHRONICLES OF OKLAHOMA

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Spring, 1969

THE BATTLE OF HONEY SPRINGS
CENTENNIAL CEREMONIES ON JULY 17, 1963

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ANGELO CYRUS SCOTT: LEADER IN HIGHER EDUCATION, OKLAHOMA TERRITORY

By Philip R. Rulon*

Shortly before the Christmas vacation of 1898, Angelo Cyrus Scott, a founder and leading citizen of Oklahoma City, delivered a public lecture at the Oklahoma Agricultural and Mechanical College located in Stillwater. Anticipating the resignation of a colleague in the near future, the faculty had extended this invitation in order to assess personally the talents of a man whom some people have regarded "a wonder of the frontier" and the cultural leader of the Territory.[1] In addition, President George Espy Morrow penned a note to Chancellor Francis Snow of the University of Kansas to check on the academic credentials of the speaker from Oklahoma City. The reply described the candidate in glowing terms. In part, it read:[2]

> Mr. Scott is one of the most highly respected and talented graduates of the University of Kansas. He has remarkable abilities and attainments of a literary character. He was at one time invited to become a member of the faculty at this University, but at the time, much to our disappointment, had other plans that could not be lightly set aside. I am thoroughly acquainted with him. . . . I should consider your institution exceedingly fortunate to secure his services.

On the basis of this favorable recommendation, an outstanding record of past accomplishments in the state of Kansas and in Oklahoma Territory, as well as the inspiring lecture delivered in the auditorium of the Agricultural and Mechanical College at Stillwater, Scott was elected chairman of the department of English, appointed over a hundred or so other aspirants who had applied for the position from all parts of the nation.

While at Stillwater (1898-1899), Scott gained a reputation as an exceptional teacher and lecturer, which on one occasion prompted the alumni magazine of his *alma mater* to ascribe him with near divine qualities, calling him a man who spoke with "tongues of men and angels". When George Morrow retired

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*Dr. Philip R. Rulon is Assistant Professor of History at Northern Arizona University, Flagstaff, Arizona, specializing in the history of American Education. His paper on Angelo Cyrus Scott is part of a longer study in preparation on the history of Oklahoma State University, 1890-1966.—Ed.

1 Angelo C. Scott, *The Story of an Administration* (Stillwater, 1929), p. 3; Fayette Copeland to Mrs. A. C. Scott, March 31, 1949, "The Angelo Scott Collection," Stillwater, Oklahoma State University Library, Archives. Hereafter cited as the "Scott Collection."

2 Quoted from the *Oklahoma A. and M. College Mirror*, January [n.d.], 1899.

(Oklahoma Historical Society)

ANGELO CYRUS SCOTT

College President and Leader, 1899 to 1908 for the Oklahoma State University at Stillwater.

during the summer of 1899, Scott became the unanimous choice of the board of regents for the college presidency. The executive used his varied talents to carry on the spirit of his predecessor's administration, and, as the fifth president of Oklahoma State University, he developed an institution of considerable excellence sometimes referred to as the "Princeton of the Prairie".[3]

The selection of a man with the new president's background for an administrative position in a land-grant institution is, at this time, of especial significance, for unlike many of his counterparts, Dr. Scott was not an agriculturalist. Instead, he thought that state universities, which many of the older Morrill colleges had become, should play an important role in preparing citizens to participate in the nation's democratic political system and in shaping the environment for the welfare of the general public. Scott, therefore, qualifies as one of those unsung land-grant educators of the late nineteenth century whose pen and tongue paved the way for popular acceptance of the reforms of the Progressive Era.[4] The purpose of this article is to appraise the effect of his term of office on the institution he so faithfully served, as well as to record the process by which change in the university was brought about.

The Educational Views of Angelo Scott

In the 1890's, the agricultural experiment stations attached to land-grant colleges and universities were responsible for initiating the most far-reaching educational innovations of the day. As the empirically-trained investigators brought data from their laboratories to the classrooms, they had to devise new courses and teaching methods to convey the results of their research to students. Preparatory schools, extension courses, short-term winter institutes, and station bulletins carried reforms to the public. Visionary college presidents, however, also assisted in the process of modernizing institutions of higher education. In the case of the Oklahoma Agricultural and Mechanical College, Henry Elijah Alvord, in agriculture, and Edmond Dandridge Murdaugh, in mechanic arts, publicized the need for strengthening the organization's academic offerings. George Morrow succeeded in upgrading the quality of agricultural instruction both on and off the campus. Following the lead of these men, President Angelo

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[3] Undated newsclipping, Kansas University *Graduate Magazine*, "Scott Collection"; *The College Paper*, June 15, 1899. Midwestern institutions of higher education were often referred to as the "Yales" or "Harvards" of their region. For example, see Russel B. Nye, *Midwestern Progressive Politics* (East Lansing, 1959), p. 7.

[4] For concise statement of the beliefs of such men, see John Brubacher and Willis Rudy, *Higher Education in Transition* (New York, 1958), pp. 155-165.

Scott moved the college a major step, yet in another direction. He dreamed of constructing a multi-purpose university.[5]

In spite of some of his later statements, it is debatable whether Justin Morrill knew specifically what he wanted to accomplish when he introduced the Land-Grant Act of 1862. If he did, there certainly were many of his early devotees who possessed different ideas on the subject. But by the decade before the turn of the century, a general consensus was aborning in the minds of educators as to what the proper goals of a state agricultural and mechanical college should be.[6] Even the father of the movement began to reflect this unanimity, for in a speech given to the students of the Massachusetts Agricultural College in 1887, the twenty-fifth anniversary of the legislation in question, he said that the objective of his bill was to open the doors of such colleges to the masses by being close at hand and to offer the people a liberal education. He continued: "It would be a mistake to suppose it was intended that every student should become either a farmer or mechanic, when the design comprehended not only instruction for those who hold the plow or follow a trade, but such instruction as any person might need—and without the exclusion of those who might adhere to the classics."[7]

President Scott concurred. This same view was adopted, however, for altogether a different reason. He had found it difficult to persuade students to enroll in agricultural courses. Farmer's sons and daughters did not want to attend college to learn how to plow. Neither did their parents desire them to. Farming, they thought, particularly in these depression years, was hard, unglamorous, and often unprofitable; thus the elders preferred their offspring to pursue loftier goals.[8]

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[5] Francis Richard Gilmore, "A Historical Study of the Oklahoma Agricultural Experiment Station," (Unpublished Ed. D. Dissertation, Oklahoma State University, 1967), p. 10; Allan Nevins, *The State Universities and Democracy* (*Urbana*, 1962), p. 102.

[6] Earle D. Ross, "On Writing the History of Land-Grant College and Universities," *Journal of Higher Education*, XXIV (1953), p. 412; United States Department of Agriculture, Office of Experiment Stations, Miscellaneous Bulletin No. 115, *Proceedings of the Fourteenth Annual Convention of the Association of American Agricultural Colleges and Experiment Stations* (Washington, 1900), p. 66.

[7] Quoted from Ruth Howard, "The Development of the Oklahoma Agricultural and Mechanical College," (Unpublished M. S. Thesis, Oklahoma Agricultural and Mechanical College, 1926), p. 3.

[8] For a good summary of Scott's analysis of the attitude of Oklahoma farmers toward agricultural education, see Oklahoma Territory, *Second Biennial Report of the Oklahoma Territorial Board of Agriculture for the Year 1905-1906* (Guthrie, 1906), pp. 261-276. For an overview of the national problem in this regard, see Frederick Rudolph, *The American College and University: A History* (New York, 1962), pp. 241-263, 513.

In 1907, the President consented to being interviewed by Miss Blanche Little, a young lady who later became a close friend of the Scott family. The results of this conversation were published in the *School Journal,* a popular educational magazine of the day. Fully aware that his administration would come to an end when Oklahoma Territory became a state, the educator spoke frankly. He remarked that many people thought of the Stillwater institution as a place where they "farmed some and carried on high school work". Such an image made it difficult for him to implement the late nineteenth century concept of what a Morrill college should be. Consequently, the executive declared that he would like to see the name of the institution changed to Oklahoma State College, thus broadening its appeal and its acceptance by the public.[9]

The revamped college should have a curriculum which would emphasize both the liberal arts and science, as well as develop a probing mind. Speaking at the dedication of a Carnegie Library in Oklahoma, President Scott recalled for his audience Thomas Carlyle's famous statement that a university was a collection of books. Then he explained why this definition was somewhat dated. He said: "We have moved away from the day of Carlyle. With the coming of Science into the Kingdom of learning, the preeminence of books is challenged by the microscope, the spectroscope, the theoldolite, and the chemical reagent, and the university which does not number these and a hundred other handmaids of Science . . . is poor indeed."[10]

An institution also had conversely to guard against training students to be mere technicians of science. "I believe", Dr. Scott said in another speech, "the narrowly trained mind is apt to remain narrow, while the broadly trained mind, if used right, is certain to grow and expand . . ." The former skills could best be learned in the laboratory, but the latter was to be derived from a study of literature, history, philosophy, science, and law.[11]

The educational views of Dr. Scott were mirrored in the many academic changes he pioneered at Stillwater. As early as 1900, in his first biennial report to the board of regents, he declared that a bachelor of science degree could now be obtained in six areas, including: (1) general science and literature; (2) agriculture, also embracing studies concentrating in horticul-

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9 W. C. Jamison to Edith Copeland, April 29, 1949, "Scott Collection"; Blanche Little, "The Agricultural and Mechanical College," *The School Journal,* LXXIV (1907), p. 664.

10 A speech entitled "The Mission of Books," n.p., "Scott Collection."

11 A speech entitled "Which Way Education? At the Crossroads," p. 2, "Scott Collection."

ture and veterinary science; (3) mechanical and electrical engineering; (4) chemistry; (5) botany; and (6) biology. Furthermore, students could elect to enroll in other courses, such as foreign language and typewriting; however, a degree would not be granted for such pursuits.[12] This curricula, which was a far cry from the single prescribed agricultural course outlined by the Legislature in 1890, was designed, he explained in a speech entitled "The Place of the College of Agriculture and Mechanic Arts in the School System of the State," to make a "college in the highest and best sense of the word—a part of that new educational movement which professes that 'higher education may and should render a broader service to humanity' than was formerly possible bringing the trained mind and hand, and modern science, to the help of human industry. . . ."[13]

A short time later, the president and the faculty cooperated in raising entrance requirements and reducing the "practical" agricultural course to the sub-collegiate level. The latter step was viewed as a move to give elementary farming information to boys who would return to the family homestead, thereby clearing the way for teaching at the college to become more scientific. In the area of entrance examinations, the subjects in which tests were administered remained the same, but a student newspaper reporter remarked that the faculty became so zealous in preparing these tests that the questions were submitted to the whole body for consultation and review. In 1903, for the first time in the college's history, some students—perhaps as many as fifty—were not permitted to enroll because of academic deficiencies.[14] In addition, the senior colleague of the faculty stated that a "discriminative tuition fee of five dollars a term or fifteen dollars a year, upon students entering from other states. . ." was applied.[15]

There were, of course, some dangers attached to these innovations. With increasing enrollments coming at last, the college had to depend more and more on the territorial Legislature for appropriations. The day was passing when federal subsidies were enough to finance the requirements of the institution. If a

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12 Oklahoma Territory, *Biennial Reports of the Territorial A. and M. College and Experiment Station of the Territory of Oklahoma for the Period* 1899-1900 (Guthrie, 1900), p. 15.

13 A speech entitled "The Place of the College of Agriculture and Mechanic Arts in the School System of the State," pp. 10-11, "Scott Collection".

14 *The College Paper*, October [n.d.], 1902; "Manuscript Letter Collection," XVI (December 25, 1902-August 22, 1903), Stillwater, Oklahoma State University Library, Archives. Hereafter cited as "Manuscript Letters."

15 Oklahoma Territory, *Report of Oklahoma Educational Institutions* (Guthrie, 1902), p. 21.

decrease in student enrollment had occurred, the institution might have suffered a serious economic reversal. But just the opposite happened, for by the end of the Scott administration in 1908, the student body had passed the thousand mark, as compared to about two hundred when the administrator took over. Also, the educator expanded the geographical area from which students were recruited. The year before these changes took place, the regents were informed that young men and women now attended the college from Illinois, Indian Territory, Indiana, Iowa, Kansas, Missouri, New Mexico, North Carolina, Oklahoma Territory, Pennsylvania, and one foreign country.[16]

Not content just to initiate new programs, President Scott determined to meet the public to explain and defend the increasing services of the institution. He stumped the territory, making hundreds of speeches to Chautauqua gatherings, farmer's organizations, women's clubs, religious meetings, and various kinds of local and state governmental functions. Each success, large or small, inspired him to devote more of his precious energy toward championing the cause of the new education. In 1903, he pointed out in a newspaper article that he was disposed "to work day and night for the upbuilding of the institution and for the welfare of the students. . ."[17] Regardless of these efforts, this aspect of his administration met with only partial success, for increased state appropriations to meet the needs of a growing student body and a more diversified curriculum were still difficult to obtain.

As might be expected, the educational views of Angelo Scott were accepted more readily by the students of the college than by the public. Nevertheless, the president diligently did the necessary spadework to bring about popular support on the campus. Reared in a rural community, and being a devout Calvinist of the Presbyterian variety, a type of background which

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16 Undated newsclipping, "The Wikoff Collection," Stillwater, Oklahoma State University Library, Archives. Hereafter cited as the "Wikoff Collection."

17 *The College Paper*, October 15, 1903. Other land-grant institutions were also carrying on advertising campaigns. Generally speaking, these activities were designed to obtain students for the Morrill institutions and to persuade legislators to appropriate larger sums of money. For more detailed information, see Winton Solberg, "The University of Illinois Struggles for Public Recognition, 1867-1894," *Journal of the Illinois State Historical Society*, LIX (1966), pp. 5-29.

many of the later progressives shared,[18] the administrator fervently worked to create a college and community environment where cultural and intellectual activity could thrive. After Dr. Scott's death, his wife stated that it was in this effort her husband was most succcessful.[19]

While he was president, Dr. Scott manifested an interest in both the mental and physical needs of his students. Each academic year was opened with an expression of personal concern for those individuals left in his care. A typical speech came at the beginning of the 1902-03 term. The students were warned of the twin perils associated with leaving home and entering the collegiate way. "The first," he explained, "is the peril to achievement . . . the second to character." Expanding on the former, the speaker suggested that five evenings per week be spent in studying, for upon "no other plan of procedure can you hope to accomplish what you are here to do." Referring to the latter peril, the administrator encouraged the selection of the right kind of friends. "Above all, don't get the idea," he further admonished, "that it is an unmanly thing to lead a straight, clean and decent life. It is the manliest thing in the world, and the best."[20]

A simultaneous effort was also initiated to create what the President of the college thought would be a more suitable environment in the surrounding community. Scott supported the establishment of a town band, directed several operettas, participated in the meetings of the local school board, provided leadership for a variety of religious organizations, and loaned faculty members to the community in times of crisis, such as the instance when Dr. L. L. Lewis cooperated with the county health department one year in controlling a raging epidemic of smallpox. These activities led the President to believe that he had a vested interest in the Stillwater township and could denounce things he did not like. In 1903, armed with a Temperance speech over ninety pages in length, he spoke like a crusader to a group of townspeople on the "evils" of liquor and gambling. These con-

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18 The rural background of progressive ideals and leadership may be read in Wayne E. Fuller, "The Rural Roots of the Progressive Leaders," *Agricultural History*, Vol. XLII (1968), pp. 1-13. It is disappointing to note in this otherwise fine article that Professor Fuller does not tie in the relationship of the land-grant movement to progressivism. But on the other hand, he does, commendably, briefly discuss the influence of country and small town schools in shaping the reform values of the period, thereby alleviating some important criticisms of progressive historiography in Lawrence Cremin, *The Transformation of the School: Progressivism in American Education, 1876-1957* (New York, 1961), pp. 355-356.

19 "Biographical Notebook of Angelo C. Scott," pp. 14-15, "Scott Collection."

20 *The College Paper*, October [n.d.], 1902.

ditions, he explained, were especially prevalent in this particular frontier community, thereby presenting temptations to his students. Finally, this diminutive man accused city officials of being in league with the unlawful elements. To buttress his point, he urged them to sue him for slander if he had pointed his finger unjustly. No court contest ensued.[21]

The numerous speeches of the President were often spiced with personal examples to illustrate that a college education was worth whatever a poor farm boy or girl might have to sacrifice for it. On one such occasion, he explained how he and William Allen White had worked their way through the University of Kansas, finally relating how he had stretched his own meager food budget as a student:[22] "I had the pleasure of cooking my own food and washing my own dishes through a large part of my college course . . . and I tell you it is perfectly amazing how well and cheaply one can live on oatmeal and soupbones. Why, the evolution of a soupbone is something wonderful—first the soup, and then the cold meat, and then the stew, and back to the soup again. I tell you, there's food for reflection in a soupbone."

Knowing that many of the Aggies were attending the institution on borrowed money, the President also tried to help them find appropriate jobs so that they could pay back their benefactors and save enough money to embark on their chosen careers, which often meant that they had to leave Oklahoma. The territorial Legislature, in 1905, was requested to permit the Stillwater college to share the teacher-training function of the Edmond Normal School in order that graduates could obtain teaching certificates. A measure granting such a request received assent in the upper house, but a student newspaper article reported the bill failed, for the "Normal School combination jumped sideways in the House, tore its hair, waved its arms, and killed the bill by a narrow margin."[23]

The President was successful, however, in securing a large number of the "scientific aid" scholarships established by the

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21 Oklahoma Territory, *Report of the Superintendent of the Territorial Board of Health for Oklahoma* (Guthrie, 1902), p. 50; A speech entitled "Temperance Address," p. 36, "Scott Collection." The extent of the alcohol problem in Stillwater is evidenced in this local newspaper notation. "Some of the farmers who occasionally get full of booze when in town have the idea that the city authorities take particular pains to run them in on the least provocation and at the same time permit residents of the town to go unmolested no matter how drunk they get. This notion should be dismissed now since the city marshal has been hauled up before 'his honor' and treated as any other plain drunk." *The Stillwater Gazette*, March 25, 1897.

22 A speech entitled "Opening of College Year 1901-1902," pp. 14-15, "Scott Collection."

23 *The College Paper*, April [n.d.], 1901.

United States Department of Agriculture for graduate study in Washington, D.C., thereby eliminating the necessity for students to work before earning advanced degrees.[24] Many of these students later achieved national prominence for their work in calling the attention of the public to impure food and drugs.

A number of incidents indicate the closeness of the chief administrative officer of the college to the students. He helped them to get a printing press for their campus newspaper, championed the cause of intercollegiate athletic and debating teams, and generally treated the "plowboys and blacksmiths," as they were called by their rivals, with genuine respect. He said upon leaving office that kindness wins more with students than severity, so he made the former his guiding star.[25] His relationship with Vingie E. Roe serves as an example of his deep concern in this area.

One day while reading the *Perkins* (Oklahoma) *Journal,* the former English professor came across a poem entitled "The Flight of the Wolves." Thinking the writer had promise, Dr. Scott wrote to his friend, Congressman Victor Murdock, editor of the *Wichita* (Kansas) *Eagle,* asking him to give the piece wider circulation by including it in a forthcoming edition of his newspaper. He also sent a note to the young authoress, inviting her to come to the campus to study under him personally. Miss Roe came, but the combination of her genius and shyness did not blend well with the less mature student body. She soon left.

Before her exit, however, the young girl spent many hours with her kindly mentor, discussing with him the future literary career she envisioned for herself. Many of these conversations later evolved as plots for the thirty-one novels and numerous screenplays that she wrote. One of these, *The Great Thrace* (1948), which is generally conceded to be Vingie Roe's best, she dedicated to the president.[26] The debt was also privately acknowledged to an Oklahoma historian. "Dear man. He believed," she wrote, "in the light, which was, in all truth, to be the one great flame of my life.[27]

Polishing the rough edges from the sons and daughters of the midwestern plains was not an easy task, considering that few of their parents had attended more than the first grade, and

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[24] For example, see *The College Paper,* June 1, 1901.

[25] A chapel symposium on the subject of "Honor," p. 10, "Scott Collection."

[26] B. B. Chapman, "Author Discovered by A. C. Scott," *The Oklahoma A. and M. College Magazine,* VII (1945), p. 3; "The Scrapbook of Vingie E. Roe," p. 16, "The Vingie E. Roe Collection," Stillwater, Oklahoma State University Library, Archives. Hereafter cited as "Roe Collection."

[27] Vingie E. Roe to Berlin Chapman, September 19, 1929, "Roe Collection."

remembering too, that there was only a small number of upperclassmen, as well as little institutional tradition, to serve as a model for the young students to emulate. So to Scott, the regulation of the academic and community environment was a major objective that had to be attained during his administration. His tenure at Stillwater, almost ten years, was adequate to achieve this aim.

The Organization Man

Dr. Robert Henry Tucker, wrote on the fiftieth anniversary of Oklahoma State, giving a detailed narrative of the college's appearance in 1899, the year Angelo Scott became president. He stated that the campus contained two hundred acres, possessed one medium-sized building, several smaller less pretentious ones, and had a faculty of fourteen or fifteen to teach the two hundred students enrolled. When President Scott resigned in 1908, by contrast, the campus contained one thousand acres, while funds were received from the Second Morrill Act, the Hatch Act, the Adams Act, a territorial tax levy, and the Cherokee Strip leased land fund. Moreover, the college gained a 250,000 acre land-grant from the federal government. Physical facilities also increased. An agricultural building, a dairy structure, and an engineering hall now adorned the campus of the college at Stillwater. Dr. Tucker, who had been vice-president of Oklahoma A. and M., attributed these gains to the "fine leadership of President A. C. Scott, assisted by an energetic faculty. . ."[28] This generalization is correct; however, it does not shed light upon the vital question that needs to be answered at this point: "What was the most important quality of Scott's leadership?"

Many midwestern agrarians in the late nineteenth century were suspicious of corporate business organization and practices, probably because of the unfavorable publicity given the trusts, but Dr. Scott, a lawyer and businessman himself, belonged to a rural movement that between 1890 and 1920 took an important step in the process of forming an accommodation between the farmer and big business.[29] One immediate by-product, as far as the administration of the college is concerned, was for the executive to implement modern administrative techniques, such as financial and personal efficiency, long-range planning, and the recruitment of talent who could bring fresh ideas into

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28 Berlin Chapman (ed.), "Selections from the Record Book of Oklahoma Agricultural and Mechanical College, 1891-1941," Vol. I, p. 55. Hereafter cited as "Record Book."

29 For further information about midwestern agrarian business attitudes, see Louis Galamos, "The Agrarian Image of the Large Corporation, 1879-1920: A Study in Social Accommodation," *The Journal of Economic History*, Vol. XXVIII (1968), pp. 341-362.

the organization.[30] In addition, he believed a spirit of cooperativeness should be developed among the administration, the board of regents, the faculty, the students, and the public-at-large. In short, the President was an organization man, and herein lies the secret of his successful term of office.

At the time Professor Scott became associated with the agricultural college in Stillwater, his father and two brothers held important state and national posts, a situation giving him a firm economic, political, and social base from which to operate. Dr. John, the father, who by this time was advanced in age, sat in the Oklahoma House of Representatives, having run on a platform of promoting education in the territory. Because of his previous legislative experience in Kansas, he was highly esteemed in the eyes of his colleagues. Only an untimely death prevented him from rendering yeoman service to his educator son. William, a brother, also resided in the territory and published the influential *Oklahoma City* (Oklahoma) *Times* newspaper, which he and Angelo had started on May 9, 1889. Moreover, the brother was at one time a member of the Legislature himself. Both of these individuals were in a position to assist Angelo, and he quite often asked them to do so.[31]

The third son of Dr. John Scott was Charles who occupied an office which also enabled him to render valuable service to his educator brother. As a regent for the University of Kansas, he was able to secure invitations for Angelo to speak at Lawrence on noteworthy occasions. As a United States Representative from Kansas, he had been appointed to the chairmanship of the committee on agriculture by the untidy, but colorful,

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30 This type of administrative procedure had already passed from business organizations to other agencies. See, for instance, the practices of certain governmental department heads detailed in Samual P. Hays, *Conservation and the Gospel of Efficieny: The Progressive Conservation Movement, 1890-1920* (Cambridge, 1959), *passim.*

31 Advice at Presidential Level, *"The Oklahoma A. and M. College Magazine,* XXV (1954), pp. 20-21; *The Daily Oklahoman,* December 30, 1937; John Fields to William Scott, March 1, 1901, p. 113, "Manuscript Letters," Vol. VII. In spite of ill health, Dr. John Scott held a number of positions in Kansas and Oklahoma. In the former state he served in both the territorial and state Legislatures, including selection as speaker of the house and president *pro tem* of the senate. Moreover, he was a farmer, a representative for the Leavenworth, Lawrence, and Galveston Railroad, a druggist, a regent for the University of Kansas, and a member of the federal government livestock inspectors in Kansas City. In Oklahoma, then a retired physician, he was appointed Indian Agent for the Ponca, Pawnee, and Otoe tribes and a member of the Oklahoma Legislature. He died in 1899, becoming the first lawmaker in the territory to expire in office. *Portrait and Biographical Record of Oklahoma* (Chicago, 1901), pp. 817-818; *The National Cyclopedia of American Biography,* XXXVII (New York, 1951), p. 337; Oklahoma Territory, *House Journal* (1899), pp. 347-355.

"Uncle Joe" Cannon. Charles aided his brother directly when circumstances warranted. Other times, he introduced him to prominent Congressmen who assisted President Scott in making substantial gains for the institution he headed. Charles and Angelo were the closest of the three brothers. They kept in touch with each other by mail when they first left home, and after their careers started to blossom, the summers were spent together at the Sprague Ranch or at the Scottage, both located in Estes Park, Colorado.[32]

The presidential administration of our subject at Stillwater was also enhanced by his own educational and occupational achievements. He received, as a youth, tutoring from his father and a retired Williams College mathematics professor. Deciding to attend the University of Kansas where Dr. John Scott was a regent, Angelo graduated in 1873 as class valedictorian. The same institution conferred a Master of Arts degree on him two years later. His LL.B. and LL.M. came from the Columbian School of Law in Washington, D.C., in 1884. Professional experience before his elevation to the college presidency included teaching in an Iola, Kansas common school, working as a legal clerk and serving on the school board in the same locality, and then moving to Washington, where he became executive secretary to an ex-Kansas governor who was then a state school land commissioner. Coming to Oklahoma in the Run of 1889, Scott opened a law office, helped to found the city that is now the state capital, published the first newspaper in Oklahoma City, became a United States Commissioner, sat in the Legislature, and chaired the Oklahoma World Columbian Exposition Committee. In 1892, the young man barely missed being appointed the second governor of the territory.[33]

The background of President Scott, along with his family connections, would have been enough to permit him to make significant progress at Stillwater, but a conscientious board of regents and an extremely capable director of the Oklahoma Experiment Station aided as well. The chairman of the regents, Frank Wikoff, who had attended a land-grant institution himself before obtaining a law degree from the University of Cin-

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[32] *The Kansas University Weekly*, September 17, 1898; *The Iola* (Kansas) *Register*, June 6, 1910; "The Boyhood Journal of Charles Scott," n.p., "Scott Collection." Little has been written about the career of Charles Scott, but David Donald hints that he may not have been as progressive as his educator brother. See David Donald, "*Lincoln Reconsidered* (New York, 1956), pp. 12-13.

[33] *Portrait and Biographical Record of Oklahoma*, p. 818; *The National Cyclopedia of American Biography*, p. 338; The Kansas University *Graduate Magazine*, March, 1949; Berlin Chapman, "Oklahoma City, From Public Land to Private Property," *The Chronicles of Oklahoma* Vol. X (1932), pp. 211-237, 330-353, 440-479.

cinnati, brought much practical knowledge about fiscal policy and Oklahoma politics to his office. John Fields, whom the president nominated to head the station, was a graduate of the Pennsylvania State College, where he had achieved considerable fame as the co-discoverer of tuberculosis in cattle, assisting Leonard Pierson.[34] Fields, Scott, and Wikoff labored as a team, and in the executive's own words became a "sort of sub-board of regents," taking over between regent's meetings.[35]

This trio set as a major goal the expansion and strengthening of the college faculty. President Scott used his contacts in the academic world to secure the names of young scholars, and the board of regents found the money with which to employ them. His friendship, for example, with David Starr Jordan, with whom he vacationed in Colorado, resulted in the acquisition of Dr. Walter Shaw, a graduate of Stanford University. Edwin Mean Wilcox became the first holder of the doctorate from Harvard University to join the faculty. Other men migrated from the University of Chicago, Johns Hopkins University, the University of Maryland, and the University of Wisconsin. These men, combined with the professors previously recruited by George Morrow, composed a body of scholars who rivaled any other Morrill college in the midwest. A new era had clearly dawned at Stillwater.[36]

Until the advent of the Scott administration, the largest source of income at the disposal of the college was the annual $25,000.00 provided by the Federal government under the auspices of the second Morrill Act. The so-called Granger Amendment, a provision of the bill in question, limited the expenditure of these funds to the payment of faculty salaries and the purchase of teaching apparatus. Consequently, the majority of the buildings on the campus were in a poor state of repair, students were stuffed into overcrowded classrooms, and office and laboratory space remained almost nonexistent. A contemporary illustrative complaint came from the caustic pen of Professor George Holter, who published the following remarks in the student newspaper:[37] "I am supposed to have a recitation at 8 o'clock, four days each week. In order to do this, I must have heat. This morning my lecture room had the delightful temperature of 59 degrees. It is absolutely impossible for me to give chunks of wisdom at this temperature. I am religiously opposed to playing a game of 'freezeout' with students."

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[34] *The Southwestern State Banker*, December, 1902; "Record Book," Vol. 1, pp. 49-50.

[35] Scott, *The Story of an Administration*, p. 10.

[36] *The College Paper*, July 25, 1900; November 1, 1901; October 15, 1903.

[37] Quoted from *The College Paper*, November 16, 1903.

Fully aware of such conditions, the college executive began pressuring Payne County territorial legislators for increased financial support. Senator Freeman Miller and Representative "Uncle Jimmy" Matthews, in addition to William Scott, answered the call, obtaining a three-tenths mill levy in 1901 and a four-tenths mill levy in 1902 with which to begin an expansive building program. The following year, Miller got the Guthrie solons to provide an additional $54,000.00, but the governor vetoed the measure. The lawyer took the matter to court and succeeded in gaining a partial restoration of funds, but it proved a Pyrrhic victory. The leading territorial Democrats resented the manner in which the court decision was obtained; thus it became difficult, if not impossible, to secure more local legislative assistance at this time.[38]

The first major public criticism of the Scott administration came in the form of a scathing newspaper editorial published on January 16, 1903, in the *Stillwater* (Oklahoma) *Democrat.* The writer charged: (1) no members of the Democratic Party were on the board of regents; (2) members of the faculty who belonged to the Democratic Party were replaced as quickly as possible; (3) the president had campaigned for Republicans who were running for local and territorial offices; (4) members of the faculty were permitted to do the same; (5) staff employees of the college and station had been released for "improper" voting behavior. The article concluded: "It is time that this prostitution of a great institution, this debasement of the greatest educational establishment of the territory should forever cease."[39] The following day, the *Stillwater* (Oklahoma) *Gazette* contained an editorial which showed the absurdities of the charges.[40] Later President Scott also denied the allegations, stating that he only knew the politics of one man on his staff and he was a Socialist.[41] Nevertheless, the damage was done. The college returned, as in the founding years, into the rough-and-tumble of territorial politics.

By 1905, President Scott concluded that without a powerful catalyst, Oklahoma was no longer a fruitful place in which to seek funds for a building program. Working closely with John

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38 *The College Paper*, March 1, 1901; *The Daily Democrat*, August 27, 1904.

39 *The Stillwater Democrat*, January 16, 1903.

40 *The Stillwater Gazette*, January 17, 1903.

41 A. C. Scott to W. F. Hendricks, January 24, 1907, "Scott Collection." In this same letter, the president said: "I have never attended or participated in a partisan political convention since I have been president. I have had many invitations from individuals, to deliver political addresses, but I have always declined, giving as my reason that I considered it inappropriate for me, in my position, to take any part in partisan politics."

Fields, and the board of regents, the administrator decided to seek the aid of the national Congress in Washington, going to that city under the guise of attending the annual meeting of the Association of American Agricultural Colleges and Experiment Stations. Contacting his brother, the Kansas representative, the two men defined three immediate objectives. First, they wanted to get a law modified—one that had been introduced sometime earlier by Congressman Dennis Flynn in order to preserve the territorial capital at Guthrie—, which prevented the construction of public buildings in Oklahoma until the territory became a state. Second, they wanted to obtain a larger portion of the Cherokee Strip leased land revenues. And finally, it was hoped that a section of school land which lay adjacent to the college campus could be ceded to the institution. It was a tall order, but one the president believed could be accomplished. Enlisting the support of Speaker Cannon and Senator Albert J. Beveridge for his cause, Dr. Scott then systematically visited each congressional committee that might be concerned with the bills he wanted approved. After five weeks of intensive groundwork, the measures were passed during the "unanimous consent" hour. Happily, the educator boarded a Baltimore and Ohio train for the return to Stillwater.[42]

Meanwhile, John Fields, who had earlier attended the land-grant college association meeting in Washington with his employer, travelled to Guthrie in order to request that the Legislature appropriate money for the erection of a new building at the college and to improve certain designated facilities at the station.[43] Succeeding in getting such bills introduced, he then turned his attention toward soliciting the support of the Oklahoma Territorial Board of Agriculture for them. Since Fields and Scott had courted this group from its creation, it was a relatively easy task to get a resolution approved which supported his requests. The final draft read:[44]

> Resolved that the earnest efforts for the development and dissemination of accurate information concerning all lines of agriculture, on the part of the Oklahoma Agricultural and Mechanical College and Experiment Station are of the greatest importance to the future of Agriculture in Oklahoma, and that the needs of this institution as incorporated in the bills now before the Legislature (1) approximately $30,000.00 for the securing, improving, stocking, and equipping of the section of land recently granted by the Congress to the College, (2) appropriating $100,000.00 for the erection of an Agricultural building, additional shops, and a

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[42] Scott, *The Story of an Administration*, pp. 13-16; *The College Paper*, January (n.d.), 1905.

[43] *The College Paper*, February [n.d.], 1905.

[44] Oklahoma Territory, "Minutes of the State Board of Agriculture, March 8, 1901 to February 2, 1915," pp. 24-25, Oklahoma City, Oklahoma State Board of Agriculture, Archives. Hereafter cited as "Minutes of the Board of Agriculture."

gymnasium, and (3) amending the law for the free distribution of . . . vaccine . . . With more than three-fourths of the people of Oklahoma engaged in Agricultural pursuits, expenditures for higher education along these lines in the Territory should, in some measure, bear a similar proportion to the total expenditure for higher education.

The document had no immediate effect. In later years, a plea from this important agency would have received the prompt attention of the lawmakers. In 1905, however, the board was not well-organized and lacked political power; thus, Fields and Scott had to devise other steps to win the votes necessary to pass their measures.

The two men now decided to hold an open house at the college, inviting members of the Legislature and friends of the institution to inspect personally the needs of the physical plant. On Friday, February 17, a chartered train brought four hundred people, including a large number of legislators, to Stillwater from the capital. The guests were treated to a colorful reception at the depot, served a luncheon prepared by the young ladies of the domestic economy department, and then seated for a round of speechmaking. Scott spoke last, "I don't like lobbying. But when the mountain comes to Mahomet, it seems to be it is entirely fit and proper to place the claims of the Agricultural and Mechanical College before the Legislature . . ."[45] An impassioned oration followed. If a stanza of a student poem published in the campus newspaper is accurate, the president left nothing to chance, for he had coached the student body in advance when to applaud. The verse in question reads:[46]

And when he raid gymnasium
My! How the boys did yell!
You know he tole em to do that,
(But den you musn't tell.)

Two months later the annual appropriations for the college were increased by $5,000.00, while twice that figure became available to pay the claims of those who had leases on the school land section. About $92,000.00 was earmarked for the construction of an agricultural building. On the surface, it appeared that a complete victory had been won.[47]

In reality, however, the passage of these bills further unified the Democratic opposition. The party had been forced to support Scott's program, because to oppose agricultural bills would have hurt the organization at the polls. On the other hand, L. W. Baxter, the state auditor, and J. C. Strang, the state attorney-

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45 *The Stillwater Gazette*, February 21, 1905.

46 Quoted from *The College Paper*, April [n.d.], 1905.

47 Oklahoma Territory, *Session Laws* (1905), pp. 49-51; *The College Paper*, April [n.d.], 1905.

general, refused to honor a voucher for the expenses of the Washington expedition.

About the same time, an Oklahoma builder named Kruger contested the legality of the contract issued by the board of regents to O. A. Campbell and S. A. Layton to build Morrill Hall, the name to be given to the new agricultural structure. Kruger told the territorial governor that he had been the low bidder for the building, but the contract had been awarded to someone else. An informal investigation revealed that the protestor was correct; his bid had been nearly $5,000.00 lower than the one submitted by the Campbell-Layton firm. Defending their actions, the regents claimed some of the previous work done by Kruger in the Oklahoma City area had been found unsatisfactory. The contract stood, but rumors persisted to the effect that $20,000.00 of the $78,000.00 amount was "velvet" and had been secretly returned to the regents.[48]

In spite of the personal embarrassment these charges must have caused the president, Scott remained an effective instrument for the institution. In 1906, he again returned to Washington to make sure that, when statehood replaced territorial status, the Stillwater college would get the lands to which it was entitled under the Land-Grant Act of 1862. Upon arriving at the capital, the educator discovered that President David Boyd and Henry Asp of the University of Oklahoma were there too. These men had found an antiquated statute dating back to 1850 "which provided land-grants to newly-formed states in lieu of swamp lands and for public improvement."[49] Scott now had to make a momentus decision. Should he join them, or should he go it alone?

The decision proved to be a difficult one to make. Under the provisions of the Morrill Act of 1862, the Stillwater institution could certainly expect to receive no less than 210,000 acres of land. The alternative was to gamble, along with Asp and Boyd, and seek 40,000 acres more. After consulting with Senators Joseph Foraker and Chester Long, Scott elected to join forces with his fellow Sooners, for the Congressmen pointed out that the Morrill endowment would almost certainly have to be shared with the Negro institution at Langston. Subsequently, legislation granting 500,000 acres of land to the Norman and Stillwater universities passed. In addition, the leased land revenues were preserved. Dr. Scott regarded these measures as an "important

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[48] "The Scrapbook of Frank Wikoff," n.p., "Wikoff Collection"; *The Daily Democrat*, October 18, 1906; November [n.d.], 1905; *The College Paper*, November [n.d.], 1906; *The People's Progress*, September 26, 1907.

[49] Scott, *The Story of an Administration*, p. 18.

step in the history of the college."[50] But upon returning to Oklahoma, the lobbyist sensed the winds of change. Little public adulation followed his latest triumph for the institution. Instead, the populace was discussing the prospects for statehood; and with such an exciting and long-awaited event in sight, sweeping changes in higher education were introduced and executed with little or no criticism. In the next year, every major college president in the state lost his position, as well as a majority of the faculty.

The first significant innovation of the Legislature for Oklahoma State University was to reorganize the personnel and structure of the board of regents. On June 6, 1907, the Oklahoma Board of Agriculture assumed jurisdiction of all the agricultural colleges in the state. Five months later, Governor Charles Haskell appointed J. P. Conners, J. Roetzel, R. F. Wilson, D. N. Robb, G. T. Bryan, E. White, D. Diehl, R. S. Burns, J. C. Elliot, R. W. Elliot, R. W. Lindsay, and S. D. Dennis to replace the existing board of regents. The new members met November 21st at the Royal Hotel in Guthrie, deciding to make a quick on-the-spot inspection of the college in nearby Stillwater. While the Board did not unduly interfere with the daily operation of the institution on this visit, they did initiate some major financial changes. Unexpended college funds, with the exception of a few thousand dollars, were removed from ex-regent Wikoff's bank. The monies that remained were henceforth to draw three percent interest.

The reorganization of the board of regents also heralded a change in the collegiate administration. Not wanting to face the humiliation of being fired, Dr. Scott in late fall submitted his resignation to the governing body, asking that it not take effect until June 30, 1908. The regents accepted the document as written. On January 22, 1908, the board of agriculture interviewed three candidates for Scott's position, and Dr. J. H. Connell, the Dallas, Texas editor of the *Farm and Ranch Magazine,* was elected president at an annual salary of $4,500.00. Scott graciously congratulated his successor and advised him that when the state Legislature convened, the new man should be in attendance to safeguard the interests of the college, while the other remained in Stillwater to tend to routine academic affairs.[51] This suggestion was sound, but it did not appreciably help the institution, because William "Alfalfa Bill" Murray, who chaired the constitutional convention, had the matter of agri-

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50 *Ibid.*

51 Oklahoma Territory, "Minutes of the Board of Agriculture," pp. 125-151.

cultural education well in hand.[52] In the future, elementary schools, high schools, and institutions of higher learning would all give instruction in the area of practical agriculture. On the other hand, the concept of building a multi-purpose university at Stillwater received a major setback. This idea was not effectively resurrected until Dr. Henry Bennett came to the helm of the institution in 1927.

During the months of May and June, 1908, the outgoing administrator made many farewell speeches, each reviving the memories of his tenure as president. A curtain of gloom descended upon the campus in spite of the fact that graduation ceremonies, usually a happy event, would soon be held. The speaking engagements began with a talk at the annual Junior-Senior Banquet. Next came an address to the local chapters of the YMCA and YWCA, followed with a special chapel symposium on the subject of "Honor." On the last Monday evening before the diplomas were distributed, the students gathered *en masse* outside the new agricultural building where a meeting of the board of regents was taking place. "We want President Scott," they shouted. The slender man left the business session and introduced his successor to the group. He closed his remarks by pointing to Connell, saying: "The King is dead, long live the King." The next evening several husky athletes carried Scott on their shoulders to an athletic banquet, but prolonged applause made speaking almost a useless endeavor.[53]

At commencement, Angelo Cyrus Scott delivered his last public speech as president. A city newspaper reporter, who had been assigned to cover the event, noted a peculiar silence on the part of the audience. The outgoing administrator introduced his successor, and then characteristically turned his attention to the assembled students.[54] He concluded his remarks by saying:[55]

> . . . the choicest memory I take with me in leaving the A. and M. College is that of the friendship and the affectionate loyalty of its students. . . . Though this particular student body will pass beyond the walls of the institution, there is a certain symbolism about a college which one does not forget, and I am sure I shall never see your orange and black without also claiming it as mine, or hear your multitudinous yell without feeling moved to join in it.

Not long after the speaker's departure from the campus, the *Stillwater* (Oklahoma) *Gazette,* predicted that a majority of the faculty, either voluntarily or involuntarily, would follow him.[56]

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[52] *The Breeder's Gazette,* March 17, 1909; Keith L. Bryant, Jr., *Alfalfa Bill Murray* (Norman, 1968), pp. 45-72.

[53] Scott, *The Story of an Administration,* p. 19.

[54] *The Stillwater Gazette,* June 8, 1908.

[55] A speech entitled "Farewell Address," pp. 6-7, "Scott Collection."

[56] *The Stillwater Gazette,* June 15, 1908.

They did, leaving on both scores. Nevertheless, the service educational philosophy and the superior administrative ability of the last territorial president of Oklahoma State University measurably assisted in developing a state institution sensitive to the needs of the people of Oklahoma several years before the Progressive Movement hit its zenith. The emphasis on the "new education", the use of "casual scientific precepts" for the regulation of the frontier environment, and the implementation of the "gospel of efficiency" to motivate change all contributed to making the territory a better place to live. As such, the man and the institution, both of whom were ahead of their times, deserve recognition for their contribution to society.[56a]

Epilogue

Leaving Stillwater, the ex-president continued providing educational services for his adopted state. He immediately accepted an invitation to replace Vernon Louis Parrington at the University of Oklahoma, a man who had also felt the ire of the new political administration. But before the next academic year began, Scott accepted a counter offer to become Dean of the Graduate School of Oklahoma City University. Later, however, he reestablished his ties with the Norman institution, devoting the remainder of his ninety-two years to extension lecturing, writing textbooks and historical literature, and generally creating a more sophisticated cultural level in the state. Public recognition came late in life for Scott, but numerous honors were accorded him in the twilight of his long career. On one of these future occasions, the alumni magazine of the University of Kansas pictured him as he most likely would want to have been remembered. The writer stated: "He looks like an actor; he would like to have been a preacher; he has been an editor, a lawyer, and a politician; he is a teacher."[57]

[56a] An abbreviated version of this paper was read on December 30, 1968, at the 47th Anniversary International Phi Alpha Theta Convention held in New York City, New York. The author gratefully acknowledges the critical attention devoted to this essay by Theodore Agnew of Oklahoma State University and Larry McFarlane and Garland Downum of Northern Arizona University.

[57] Undated newsclipping, Kansas University *Graduate Magazine*, "Scott Collection."

THE HONEY SPRINGS NATIONAL BATTLEFIELD PARK MOVEMENT

*By LeRoy H. Fischer**

Public interest in the site of the Civil War Battle of Honey Springs dates almost from the battle itself. Returning veterans, after arriving by rail in Muskogee, Creek Nation, often walked, rode horseback, or drove carriages through the area by way of the Texas Road, which ran lengthwise through the center of the battleground. They sought out familiar natural features, viewed trees shattered by the Federal cannonade, and enjoyed the scenic beauty of prairie and dense forest enroute to Honey Springs Station, originally a stage stop and provision point on the Texas Road. Honey Springs was usually the focal point of these excursions, and picnics were sometimes held near the clear flowing waters of the spring area or the ruins of the stone building used by the Confederate forces to house their powder. In later years visits to the battlefield area continued with increasing frequency even though the Texas Road had been closed with the coming of paved highways and the area over which the battle had been fought was now privately owned. The late Dr. and Mrs. Grant Foreman of Muskogee, for example, sought out the battle site several times during the 1920's and 1930's.[1]

Dr. Foreman, who was research minded on his visits to the Honey Springs location, emphasized the significance of this military confrontation in numerous books and pamphlets, and also in an illustrated article in the *Daily Oklahoman*.[2] Other authors, such as Wiley Britton, himself a Federal soldier stationed at Fort Gibson during the Civil War, also wrote of the importance of the

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1 Unidentified newspaper clipping, Battle of Honey Springs folder, Grant Foreman Collection, Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma; interview of the author with Mrs. Grant Foreman, Muskogee, Oklahoma, July 17, 1963.

2 Grant Foreman, *Lore and Lure of Eastern Oklahoma* (Muskogee, Oklahoma: Muskogee Chamber of Commerce, no date; reprinted in Muskogee in 1963), pp. 58-69; Grant Foreman, *Down the Texas Road* (Norman: University of Oklahoma Press, 1936), pp. 38-39; Grant Foreman, *A History of Oklahoma* (Norman: University of Oklahoma Press, 1942), pp. 120-123; Grant Foreman, "Battle of Honey Springs," *Daily Oklahoman*, February 16, 1936.

Battle of Honey Springs in several book-length publications.[3] Joseph B. Thoburn and Muriel H. Wright have emphasized the battle on the printed page, as did Gaston Litton, Edwin C. McReynolds, Arrell M. Gibson, Jess C. Epple, Phil Harris, Alice Hamilton Cromie, and others in a number of textbooks and trade books.[4]

Public awareness of the significance of the Battle of Honey Springs has always been soundly based. From the beginning the battle has generally been recognized as the largest and most important of the eighty-nine combat actions fought during the Civil War in Indian Territory, present-day Oklahoma. Approximately 6,000 Confederates and 3,000 Federals were engaged at Honey Springs. Confederate and Federal troops of the Five Civilized Tribes of Indian Territory as well as forces from Wisconsin, Colorado, Kansas, and Texas participated. It was, in fact, not only the largest, but the most significant battle fought at any time in what is now Oklahoma. It was in both size and importance the Gettysburg of the Civil War in Indian Territory, for it marked the climax of massed Confederate military resistance in the area and opened the way for the capture of Fort Smith, Arkansas, by Federal forces and their control of Indian Territory and much of Arkansas. Perhaps, in terms of results, Honey Springs was even the Gettysburg of the trans-Mississippi West.[5]

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[3] Wiley Britton, *The Civil War on the Border* (2 vols., New York: G. P. Putnam's Sons, 1890-1904), Vol. II, pp. 112-126; Wiley Britton, *Memoirs of the Rebellion on the Border, 1863* (Chicago: Cushing, Thomas and Co., 1882), pp. 302-362; Wiley Britton, *The Union Indian Brigade in the Civil War* (Kansas City, Missouri: Franklin Hudson Publishing Co., 1922), pp. 267-285.

[4] Joseph B. Thoburn, *A Standard History of Oklahoma* (5 vols., Chicago and New York: The American Historical Society, 1916), Vol. I, pp. 306-308; Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People* (4 vols., New York: Lewis Historical Publishing Co., Inc., 1929), Vol. I, pp. 345-346; Gaston Litton, *History of Oklahoma at the Golden Anniversary of Statehood* (4 vols., New York: Lewis Historical Publishing Co., Inc., 1957), Vol. I, p. 217; Edwin C. McReynolds, *Oklahoma: A History of the Sooner State* (Norman: University of Oklahoma Press, 1954), pp. 217-218; Arrell M. Gibson, *Oklahoma: A History of Five Centuries* (Norman, Oklahoma: Harlow Publishing Corp.), p. 206; Jess C. Epple, *Honey Springs Depot, Elk Creek, Creek Nation, Indian Territory* (Muskogee, Oklahoma: Hoffman Printing Co., 1964), pp. 11-76; Phil Harris, *This is Three Forks Country* (Muskogee, Oklahoma: Hoffman Printing Co., 1965), 55-56; Alice Hamilton Cromie, *A Tour Guide to the Civil War* (Chicago: Quadrangle Books, 1965), p. 250; in addition, most Oklahoma history high school textbooks emphasize the significance of the Battle of Honey Springs.

[5] Ten basic military reports on the Battle of Honey Springs were published in the United States War Department, *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (four series, 128 vols., Washington: Government Printing Office, 1880-1901), Ser. i, Vol. XXII, Pt. 3, pp. 447-462.

(National Park Service)

VISITORS CENTER AT GETTYSBURG NATIONAL MILITARY PARK IN PENNSYLVANIA

Although the Battle of Honey Springs is important because it was decisive militarily, it is significant also as one of the first engagements of the Civil War in which Negroes proved their qualities as fighting men. The Negro unit involved was the Federal First Kansas Colored Volunteer Infantry Regiment.[6]

In addition, Honey Springs has the unique distinction of being in all probability the only Civil War battle west of the Mississippi River to be recorded in a drawing made by a combat artist. James R. O'Neill, representing *Frank Leslie's Illustrated Newspaper* of New York City, drew his first-hand impressions of the battle. O'Neill (who was killed several months later at Baxter Springs, Kansas, by a Confederate guerrilla force led by William C. Quantrill) accompanied the forces of Major General James G. Blunt, the Federal commander at Honey Springs.[7]

The national, regional, and territorial importance and relationships of the conflict at Honey Springs are pointed up by the fact that it took place on July 17, 1863, during the same month and year in which the major Federal victories occurred at Gettysburg, Pennsylvania, and Vicksburg, Mississippi. Indeed, the Battle of Honey Springs was also a Federal victory and closely paralleled the military scene east of the Mississippi River.

As one of the three most significant Civil War battles fought west of the Mississippi, the Battle of Honey Springs rates in importance with the Battle of Wilson's Creek, which occurred on August 10, 1861, in the southwest section of Missouri near Springfield. That Confederate victory involved 5,400 Federals and 8,000 Confederates, a total of 13,500 men.[8]

The action at Honey Springs also ranks in importance with the Battle of Pea Ridge, fought on March 7 and 8, 1862, in northwest Arkansas near Rogers, where 10,500 Federals were victorious over 16,000 Confederates, an engagement of 26,500 men.[9]

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[6] James G. Blunt to John M. Schofield, July 26, 1863, and John Bowles to William R. Judson, July 20, 1863, *ibid.*, pp. 447-451; Dudley Taylor Cornish, *The Sable Arm: Negro Troops in the Union Army, 1861-1865* (New York: Longmans, Green and Co., 1956), pp. 78, 146, 241, 252, 261.

[7] The Battle of Honey Springs drawing was published in *Frank Leslie's Illustrated Newspaper*, August 29, 1863; O'Neill's death was announced in Leslie's newspaper on October 31, 1863, after being reported by Major General James G. Blunt on October 7, 1863, in Frank Moore, ed., *The Rebellion Record: A Diary of American Events* (12 vols., New York: G. P. Putnam and D. Van Nostrand, 1861-1868), Vol. VII, p. 553.

[8] The standard treatments of the Battle of Wilson's Creek are in Britton, *The Civil War on the Border*, Vol. I, pp. 69-107, and in Jay Monaghan, *Civil War on the Western Border, 1854-1865* (Boston: Little, Brown and Co., 1955), pp. 170-181.

[9] The standard treatments of the Battle of Pea Ridge are in Britton, *The Civil War on the Border*, Vol. I, pp. 242-278, and in Monaghan, *Civil War on the Western Border, 1854-1865*, pp. 239-251.

The citizens of both Arkansas and Missouri have been actively aware for some years of the significance of their major Civil War battles and the need to develop the sites as national battlefield parks. Accordingly, the State of Arkansas bought 4,210 acres of land on which the Battle of Pea Ridge was fought and deeded it to the United States Government for the establishment of the Pea Ridge National Military Park. The State of Arkansas paid $500,000.00 for the land. The United States Government spent $1,500,000.00 on the initial development of the park, provides additional money each year for improvements, and allocates $150,000.00 annually on the operation of the park. The Congress of the United States created the Pea Ridge National Military Park in the year 1960.[10]

Meanwhile, the citizens of Missouri had been at work on the creation of a national memorial park on the site of their major Civil War battle. The State of Missouri purchased over a period of several years the 1,726 acres of land on which the Battle of Wilson's Creek had been fought and deeded it to the United States Government. Wilson's Creek Battlefield National Park was established in 1960, and the last of the park land was purchased and presented to the Federal Government in 1968. Missouri paid a total of $450,000.00 for the land. The expenditure projected for the initial development of the park is $2,500,000.00, with additional monies each year for improvements, and an annual estimated operating budget of $130,000.00 when the park is fully operational. The Advisory Board on National Parks has urged immediate development of the park.[11]

The accomplishments in Arkansas and Missouri stimulated interest in creating a Honey Springs National Battlefield Park; added impetus was gained through the commemorative emphasis of the Civil War Centennial years from 1961 to 1965. In October of 1962 the first meeting for the development of the Honey Springs battle site as a national park was held at a dinner in Muskogee hosted by the Chamber of Commerce. Interested citizens attended not only from Muskogee, but also from Fort Gibson, Okay, Oktaha, Checotah, Warner, Stillwater, Oklahoma City, and Enid. Members of the Oklahoma Civil War Centennial Commission and the Oklahoma City Civil War Round Table were

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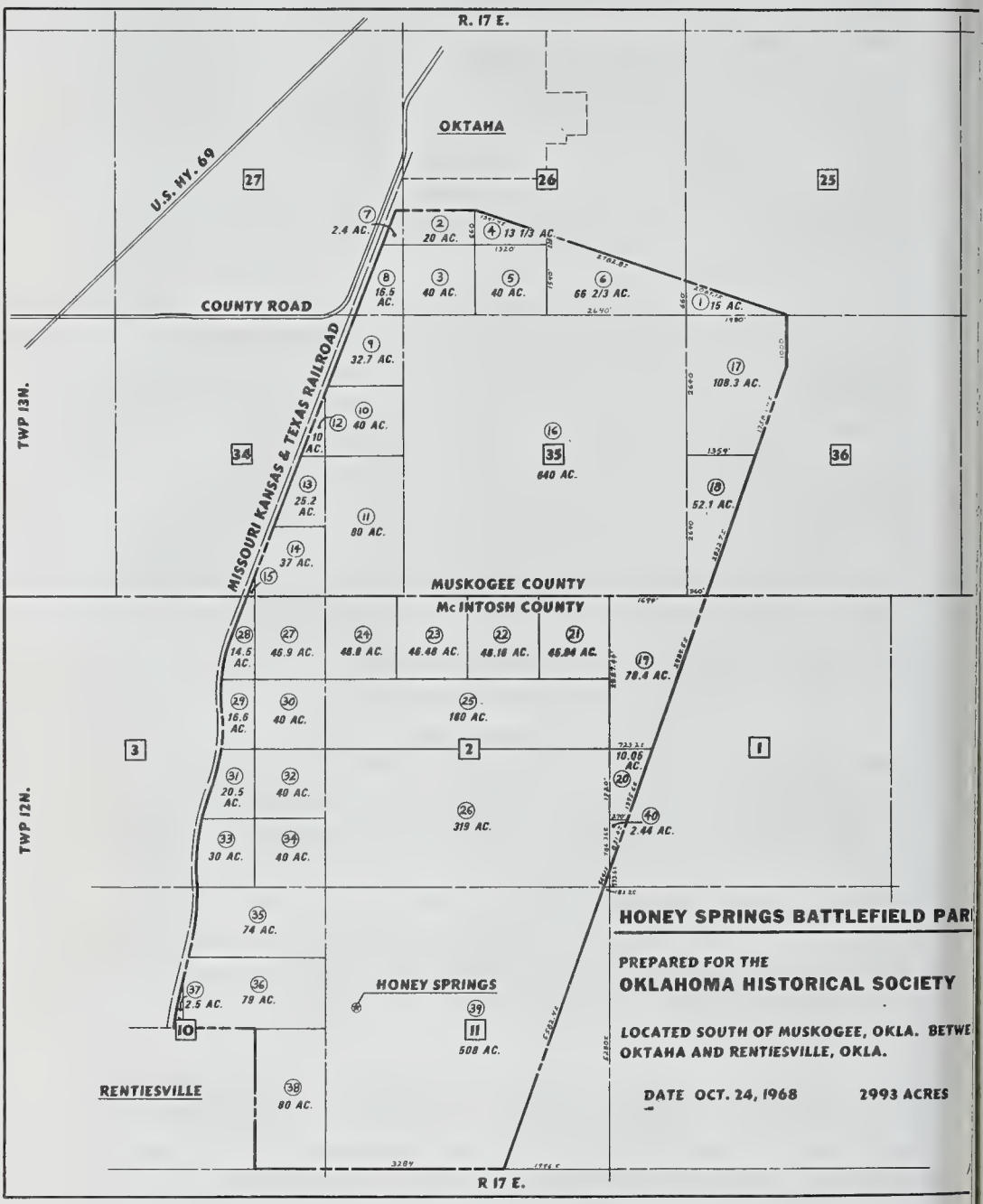
10 William E. Dyer, Superintendent, Pea Ridge National Military Park, Pea Ridge, Arkansas, to the author, December 9, 1966; Pea Ridge National Military Park brochure, National Park Service, United States Department of the Interior.

11 David L. Hieb, Superintendent, George Washington Carver National Monument, Diamond, Missouri, to the author, December 8, 1966; Wilson's Creek Battlefield National Park brochure, National Park Service, United States Department of the Interior; "Buck and Ball" newsletter, Civil War Round Table of the Ozarks, Springfield, Missouri, issues of February, 1967, September, 1968, and January, 1969.



(Oklahoma State University)

LAND LOCATION DRAWING OF HONEY SPRINGS BATTLEFIELD PARK

present and recommended action. It was mutually agreed at the meeting that the site of the Battle of Honey Springs should become a national battlefield park.[12] In subsequent months attention was focused on the effort through conversation and newspaper articles in Muskogee and vicinity, as well as through activities of the Oklahoma Civil War Centennial Commission. The theme of the 1963 Official Oklahoma Highway Map published by the Oklahoma Department of Highways was the Civil War in Indian Territory, with special emphasis on the Battle of Honey Springs. This map was produced under the direction of the Oklahoma Civil War Centennial Commission. The cover of the map featured the well-known Honey Springs drawing by combat artist James R. O'Neill, and the brief history of the Civil War in Indian Territory on the map emphasized the pivotal and decisive importance of the battle. Half a million copies of this map were distributed in Oklahoma and throughout the United States in 1963.[13]

As the July 17, 1963, centennial anniversary of the battle approached, elaborate plans were formulated for the occasion by the citizens of Muskogee and vicinity, with the cooperation of the Oklahoma Civil War Centennial Commission. The day before the commemoration, a chartered bus and auto caravan took interested visitors on a tour, largely arranged by Nettie Wheeler, of historic sites in the vicinity of Muskogee. The tour was designed to emphasize the broad historical importance of the area in which the Battle of Honey Springs took place. Homer L. Knight, professor of history and head of the history department of Oklahoma State University, spoke on this theme at Okay. The trip climaxed with a dinner in Muskogee at which Henry B. Bass of Enid, the chairman of the Oklahoma Civil War Centennial Commission, spoke on the significance of the Civil War in Indian Territory. He urged that immediate steps be taken by local and state organizations for the purchase and preservation of the Honey Springs battleground and the establishment of that area as a national battlefield park. Bass stressed the historical importance of the Battle of Honey Springs and noted that "tourism is getting to be the most important industry in the

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12 Frances Rosser Brown, Muskogee, Oklahoma, to the author, October 27, 1962.

13 Copies of the 1963 Official Oklahoma Highway Map are in the collections of the Oklahoma Historical Society, Oklahoma City, Oklahoma; the library of Oklahoma State University, Stillwater, Oklahoma; the library of the University of Oklahoma, Norman, Oklahoma; and the files of the Oklahoma Department of Highways, Oklahoma City, Oklahoma. This map was prepared by Muriel H. Wright of the Oklahoma Historical Society and LeRoy H. Fischer of Oklahoma State University for the Oklahoma Civil War Centennial Commission.

United States," approximately thirteen million persons having visited the Civil War battlefields of the nation in 1962.[14]

The following day, on the centennial anniversary of the Battle of Honey Springs, commemorative ceremonies commencing at 10:00 a.m. were held in the Oktaha Cemetery, near where the battle began. The day was warm and sultry, much as it had been at the time of the battle. E. B. "Hugh" Maytubby, of the Chickasaw Indian Tribe and county treasurer of Muskogee County, presided at the ceremonies. Following an opening prayer, Mrs. A. Lester Buck, president of the Muskogee General Nathan B. Forrest Chapter of the United Daughters of the Confederacy, laid a wreath at the base of a memorial erected in Oktaha Cemetery in 1940 to honor the Confederate dead. In placing the wreath, Mrs. Buck said that it was "in memory of all who died on both sides in the Honey Springs Battle." Maytubby next called for a show of hands of the descendants of those who had fought in the battle, and about twelve persons responded. Then the Honorable Ed Edmondson of Muskogee, Representative of the Oklahoma Second Congressional District in the United States' House of Representatives, spoke briefly. "I think this centennial observance will have much significance in future years," Edmondson said. "I feel it is the first step to the establishment of a permanent national battlefield park."

Following Edmondson's comments, LeRoy H. Fischer, a professor of history at Oklahoma State University and a Civil War period specialist, spoke on the history of the Battle of Honey Springs, which had been in progress precisely one hundred years before. He emphasized that the battle was not only the Gettysburg of Indian Territory, but in some respects the Gettysburg of the West. In concluding, he said: "This commemoration is the beginning of what I hope will be a first-class national battlefield park."

During the ceremonies a number of visitors to the Muskogee area were introduced. These included Henry B. Bass of Enid, the chairman of the Oklahoma Civil War Centennial Commission; Muriel H. Wright of Oklahoma City, the editor of *The Chronicles of Oklahoma;* Homer L. Knight of Stillwater, professor of history and head of the history department at Oklahoma State University; and George H. Shirk of Oklahoma City, the president of the Oklahoma Historical Society.

Among those taking part in the battlefield ceremonies were members of the Oklahoma Civil War Centennial Commission, the Oklahoma Historical Society, the United Daughters of the Confederacy, the Oklahoma City Civil War Round Table, the

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[14] Muskogee *Times-Democrat*, July 16, 1963; Muskogee *Daily Phoenix*, July 17, 1963.

(Tulsa *Daily World*)

DESCENDANTS OF THE VETERANS OF THE BATTLE OF HONEY SPRINGS AT THE CENTENNIAL COMMEMORATION ON JULY 17, 1963

65th Troop Carrier Squadron from Davis Field, the Oklahoma National Guard, the Boy Scouts of America, the Checotah Chamber of Commerce, and numerous residents of Muskogee, Oktaha, Rentiesville, and Checotah.

Following the ceremonies in the Oktaha Cemetery, many visitors mailed cachet envelopes from the battlefield posted with the Battle of Gettysburg commemorative stamp issued earlier in July, 1963, by the United States Post Office Department. Each envelope was stamped: BATTLE OF HONEY SPRINGS, INDIAN TERRITORY, July 17, 1863, 100th ANNIVERSARY CACHET, July 17, 1963, ON THE BATTLEFIELD. Also, Warren Ray of Muskogee took the visitors on a tour of the accessible portions of the battlefield, completing the trip at Honey Springs, some two and one-half miles south of the site of the morning ceremonies in Oktaha Cemetery. A large crowd had also gathered at Honey Springs, where informal comments were made on the battle itself and the prospects discussed for a national park of the battle area.[15]

After the centennial commemoration of the battle, public interest continued in the effort to acquire the battleground area and establish it as Honey Springs National Battlefield Park. The first body in Oklahoma urging this after the battle commemoration itself was the Oklahoma Civil War Centennial Commission; on December 10, 1963, it adopted a resolution to this effect. The Oklahoma City Civil War Round Table over a period of several years adopted a number of similar resolutions addressed to the Legislature of the State of Oklahoma and to individual members of the Oklahoma Legislature. This same Civil War study group also sent a number of resolutions of appreciation to individual legislators and to the Oklahoma Legislature itself for action taken in behalf of the Honey Springs project. Governor Dewey Bartlett and the Board of Directors of the Oklahoma Historical Society and its officers were also commended in resolutions of the Oklahoma City Civil War Round Table. Additional resolutions requesting the purchase of the battlefield site by the State of Oklahoma and the establishment of a Honey Springs National Battlefield Park were voted by the Indian Territory Posse of Oklahoma Westerners and the Great Plains Historical Association.[16] The subject of a Honey Springs Battlefield

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15 Muskogee *Times-Democrat*, July 17, 1963; Tulsa *Daily World*, July 18, 1963; Battle of Honey Springs 100th Anniversary Cachet, author's possession; Battle of Honey Springs 100th Anniversary Cachet rubber stamp, Oklahoma Historical Society.

16 Copies of these resolutions are in the author's possession; Elmer L. Fraker, Administrative Secretary, Oklahoma Historical Society, Oklahoma City, Oklahoma, to the author, May 29, 1967; Dewey F. Bartlett, Governor, State of Oklahoma, Oklahoma City, Oklahoma, to the author, May 30, 1967; Basil R. Wilson, Secretary, Oklahoma State Senate, Oklahoma City, Oklahoma, to the author, June 5, 1967.

(Tulsa *Daily World*)

THE CROWD GATHERING FOR THE CENTENNIAL COMMEMORATION ON THE HONEY SPRINGS BATTLEFIELD ON JULY 17, 1963

Park received favorable attention in the quarterly Board of Directors meetings of the Oklahoma Historical Society, and on January 26, 1967, the board voted to actively sponsor and encourage the creation of the park as a national memorial.[17]

From the time of the centennial commemoration of the Battle of Honey Springs, numerous newspaper articles have appeared in Oklahoma telling of that combat action, emphasizing its importance, and recommending the purchase of the site by the State of Oklahoma for presentation to the United States Government as a national battlefield park.[18] The Southwestern Bell Telephone Company devoted its January-February, 1967, issue of *Telephone Talk* to a photograph and description of the Honey Springs battlefield. This leaflet was mailed to all Southwestern Bell Telephone Company customers in Oklahoma.[19]

The next significant action to establish a Honey Springs National Battlefield Park occurred the following March when the Honorable Vol H. Odom of Wagoner introduced a bill in the Oklahoma State House of Representatives to appropriate $25,000.00 to purchase a portion of the land upon which the Battle of Honey Springs had been fought. Senator John D. Luton of Muskogee and other members of the Oklahoma Legislature from the legislative districts in which the battle had occurred served as co-sponsors of the bill. Several days earlier, on February 27, 1967, sixty interested Honey Springs National Battlefield Park boosters gathered in the Conference Room of the State Capitol for a discussion with Governor Dewey F. Bartlett on the possibilities of Oklahoma acquiring the site of the battle.[20] The

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17 Minutes of the Quarterly Meeting of the Board of Directors, Oklahoma Historical Society, Oklahoma City, Oklahoma, January 26, 1967, *The Chronicles of Oklahoma*, Vol. XLV, No. 1 (Spring, 1967), pp. 99-100; George H. Shirk, President, Oklahoma Historical Society, Oklahoma City, Oklahoma, to Representative Vol. H. Odom, January 27, 1967, copy in author's possession; George H. Shirk, President, Oklahoma Historical Society, Oklahoma City, Oklahoma, to Senator John D. Luton, January 27, 1967, copy in author's possession.

18 Examples of such newspaper articles are in the Muskogee *Sunday Phoenix and Times-Democrat*, June 5, 1966, August 14, 1966, October 30, 1966, January 8, 1967, January 15, 1967, February 5, 1967, March 17, 1968, November 17, 1968; Muskogee *Daily Phoenix*, February 24, 1967; Muskogee *Times-Democrat*, February 27, 1967; Stillwater *News-Press*, June 26, 1967; *Daily Oklahoman*, February 18, 1967, February 28, 1967, June 14, 1967.

19 *Telephone Talk*, January-February, 1967, copy in files of Southwestern Bell Telephone Company, 221 North Fifth Street, Muskogee, Oklahoma; L. D. Bushnell, District Manager, Southwestern Bell Telephone Company, Muskogee, Oklahoma, to Phil Harris, January 23, 1967, copy in author's possession.

20 Representative Vol H. Odom, Oklahoma House of Representatives, Oklahoma City, Oklahoma, to Honey Springs Battlefield Park Boosters, February 15, 1967, copy in author's possession.

$25,000.00 appropriation bill, which became law, authorized the Oklahoma Historical Society, as an agency of the State of Oklahoma, to carry out the purchase of Honey Springs battlefield land.[21] With this appropriated money, 160 acres of land were acquired near the south perimeter of the battlefield, including the site of Honey Springs and the Confederate powder house. Elbert L. Costner, Field Deputy of the Oklahoma Historical Society, carried through the land acquisition with the cooperation of the Attorney General's Office of the State of Oklahoma, and Elmer L. Fraker, the Administrative Secretary of the Oklahoma Historical Society. These acres represent the first parcels of land of the proposed 2,993 acres to be purchased for the establishment of the park.[22]

The Oklahoma Historical Society Board of Directors at its quarterly meeting on October 24, 1968, established the Honey Springs Battlefield Park Commission and directed George H. Shirk, the president of the society, to appoint a commission composed of a chairman, vice-chairman, and members. The duties of the commission consist of developing, operating, maintaining, and establishing policies for the Honey Springs Battlefield Park on behalf of the Oklahoma Historical Society. The commission was authorized "to enter into any fund raising activity consistent with the character of your responsibility." James C. Leake of Muskogee was designated chairman, and LeRoy H. Fischer of Stillwater was appointed vice-chairman. Commission members are Representative Vol H. Odom of Wagoner, Senator John D. Luton of Muskogee, Chief W. E. McIntosh of Tulsa, Nettie Wheeler of Muskogee, Warren Ray of Muskogee, Jess C. Epple of Warner, Phil Harris of Muskogee, Earl Boyd Pierce of Muskogee, Mrs. Mabel McLain of Checotah, Mr. Henry B. Bass of Enid, and Wendell E. Howell of Oklahoma City.[23]

In keeping with the decision of the Board of Directors of the Oklahoma Historical Society and the Honey Springs Battlefield Park Commission, and also upon the recommendation of other concerned groups, the entire site of the Battle of Honey

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21 House Bill No. 279, Oklahoma Historical Society appropriation for 1967, Thirty-First Legislature, First Session, 1967, *Oklahoma Session Laws, 1967* (St. Paul, Minnesota: West Publishing Co., 1967), pp. 423-424.

22 The deeds to the 160 acres of Honey Springs Battlefield Park land purchased by the Oklahoma Historical Society with the $25,000.00 appropriated by the 1967 session of the Oklahoma Legislature are in the possession of the Oklahoma Historical Society, Oklahoma City, Oklahoma.

23 Minutes of the Quarterly Meeting of the Board of Directors, Oklahoma Historical Society, Oklahoma City, Oklahoma, October 24, 1968, *The Chronicles of Oklahoma*, Vol. XLVI, No. 4 (Winter, 1968-1969), p. 481; and Minutes of Quarterly Meeting of the Board of Directors, April 24, 1969.

Springs should be acquired by the State of Oklahoma and presented to the United States Government for the creation of a national battlefield park. The State of Missouri has accomplished this for its major Civil War battle at Wilson's Creek, and the State of Arkansas has achieved this for its major Civil War battle at Pea Ridge. Located on the Muskogee County-McIntosh County line about fourteen miles south of the city of Muskogee, the site of the Battle of Honey Springs is composed of some tillable agricultural land, but it is made up primarily of a lightly-populated, hilly and rocky grazing area covered with trees. The site is of major scenic beauty as well as of primary historical importance. The battle location parallels on the east and is immediately adjacent to the Missouri, Kansas, and Texas Railroad, the first railroad constructed through present-day Oklahoma. The battle site includes not only a readily discernible section of the Texas Road, the major artery of travel and commerce between Missouri, Kansas, and Texas during the last century, but Honey Springs itself, which was a stagecoach, provision, and watering point for travelers on the Texas Road. The site of the battle is readily accessible by major roadways, for it is paralleled on the west by United States Highway 69 at the approximate distance of one mile, and on the south is about five miles from Interstate Highway 40. The battle site is located only 100 miles from Pea Ridge National Military Park in Arkansas and just 170 miles from Wilson's Creek Battlefield National Park in Missouri.

The Battle of Honey Springs site is near the population, recreational, historical, and cultural centers of east-central and northeast Oklahoma. It is sixty miles from Tulsa, with its 265,000 people; fourteen miles from Muskogee, containing 40,000 residents; and forty-four miles from Tahlequah, a city of 6,000 persons. The battle site is but a short distance from the housing and recreational facilities of Arrowhead State Park, Fountainhead State Park, Greenleaf Lake Park, and Sequoyah State Park. The Honey Springs site is located in the old Creek Nation near its eastern boundary, in the midst of one of the most historic and culturally significant areas of Oklahoma.

Oklahoma's heritage, state pride, and tourism would be vastly enhanced by the acquisition of the 2,993 acre site of the Battle of Honey Springs by the State of Oklahoma and its gift to the United States Government for the establishment of a Honey Springs National Battlefield Park. With this park, the Civil War for the first time would be suitably commemorated in Oklahoma and the proportions and intensity of that conflict in the state

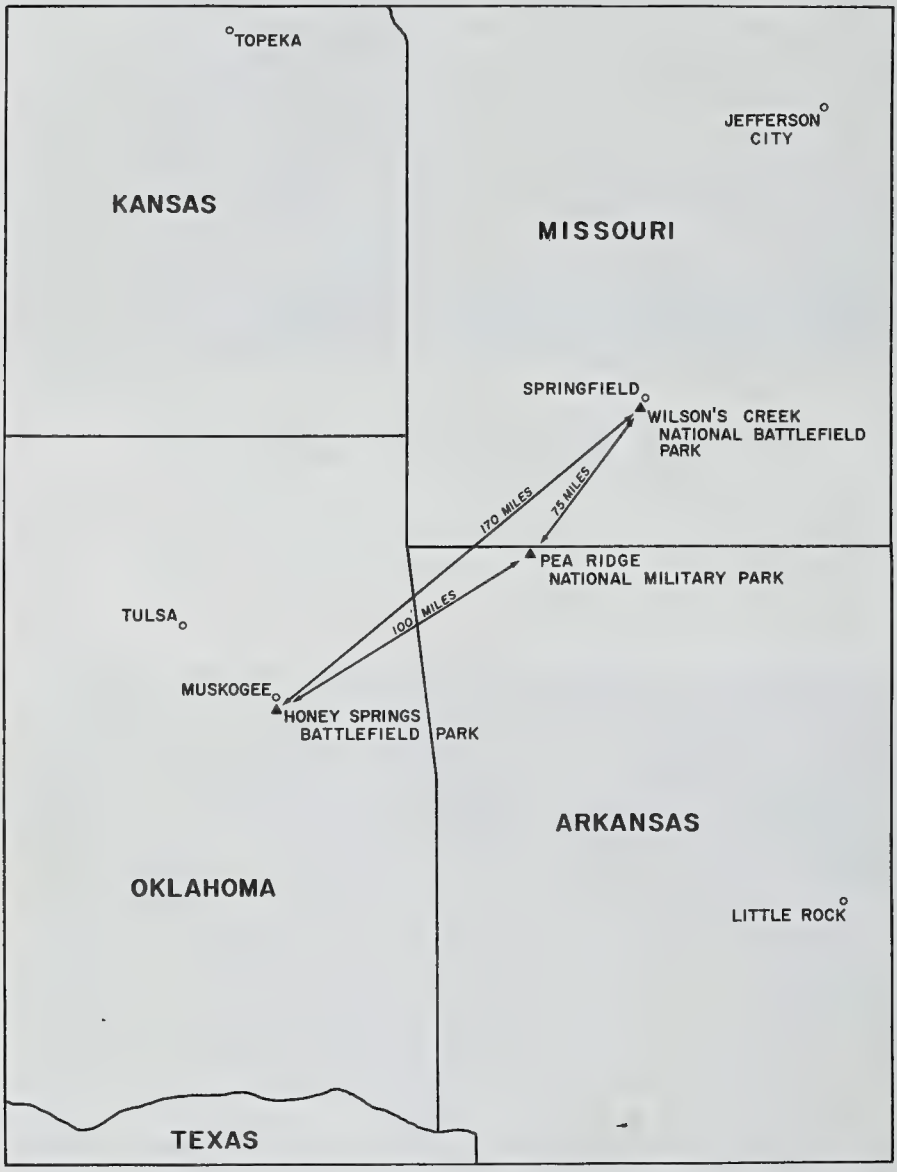
(National Park Service)

VISITORS CENTER AT PEA RIDGE NATIONAL MILITARY PARK IN ARKANSAS

(National Park Service)

PEA RIDGE NATIONAL MILITARY PARK IN ARKANSAS

and region adequately understood. Oklahoma should take action at once to acquire and convert the site of its major Civil War battle into a national park, thereby joining with Arkansas and Missouri in a tri-state complex of Civil War battlefield tourism west of the Mississippi River.



(Oklahoma State University)

THE PROXIMITY OF HONEY SPRINGS BATTLEFIELD PARK TO PEA RIDGE NATIONAL MILITARY PARK IN ARKANSAS AND WILSON'S CREEK NATIONAL BATTLEFIELD PARK IN MISSOURI

NEGRO TROOP ACTIVITY IN INDIAN TERRITORY, 1863-1865

*By Lary C. Rampp**

At noon, July 1, 1863, the long column of black infantry was halted. Their white commander, Union Colonel James M. Williams, broke away from the main body of resting troops and moved his horse ahead to meet his two returning scouts. He was informed that the opposite bank of the nearby Cabin Creek was held by Confederate troops of an undetermined, but large number. The Confederate enemy soldiers were so positioned as to command the ford and the fortified encampment located there. Colonel Williams wheeled his mount around and returned to his command where he ordered the regiment to fall in back on the Texas Road.[1]

Major John A. Foreman, commanding officer of the Third Indian Home Guard Regiment, had already moved forward through the parallel woods and pastures to make contact with the entrenched Confederates at Cabin Creek. When he came within sight of the banks of Cabin Creek, Confederate pickets began to harrass his line with scattered musket fire. One com-

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*Lary C. Rampp is a Graduate Teaching Assistant in Political Science at Oklahoma State University, Stillwater, Oklahoma. Preparation of this article was aided by assistance from the Research Foundation at Oklahoma State University. This help is gratefully appreciated.

[1] Williams to Phillips, July ——, 1863, U.S. War Department, *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (70 vols., 128 books in U.S. Serial Set, Washington: Government Printing Office, 1880-1901), i, XXII, Pt. 1, pp. 379-380. Hereinafter cited as *Official Records*: series cited in small case Roman numeral; volume cited in large case Roman numeral; part of each volume cited as "Pt." Blunt to Curtis, July 13, 1863, *ibid.*, Pt. 2, p. 367; Lary C. Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865" (Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1968), pp. 28-29; Worten Manson Hathaway, "Brigadier General Stand Watie, Confederate Guerrilla" (Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1966), pp. 51-59; Barney King Neal, Jr., "Federal Ascendancy in Indian Territory, 1862-1863" (Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1966), pp. 83-87, 95-103; Sharon Dixon Wyant, "Colonel William A. Phillips and the Civil War in Indian Territory" (Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1967), pp. 41-42, 46-53; Annie Rosser Cubage, "Engagement at Cabin Creek, Indian Territory," *Chronicles of Oklahoma*, X (March, 1932), pp. 44-51; James G. Blunt, "General Blunt's Account of His Civil War Experiences," *Kansas Historical Quarterly*, I (May, 1932), pp. 243-245; Wiley Britton, *Memoirs of the Rebellion on the Border, 1863* (Chicago: Cushing, Thomas and Co., 1882), pp. 342-343; Charles R. Freeman, "The Battle of Honey Springs," *Chronicles of Oklahoma*, XIII (June, 1935), p. 154.

pany of the Third Indian Home Guard Regiment surged forward into a forward protective line of skirmishers and engaged the enemy pickets, killing three and capturing three more. Being overrun by the pressing Union skirmish line, the remaining Confederate pickets retired across the creek and merged with the main Confederate troops.[2]

Union horse artillery was ordered to deliver a covering fire while a depth sounding was taken of the rain-swollen creek. Finding it too high for fording by his colored infantry, Colonel Williams posted a heavy line of pickets along the creek banks and moved back out of range to organize the attack for the morrow. The wagon train was posted two miles back from the ford and secured in a temporary park on an open prairie. Holding conference with his staff, Colonel Williams laid out his plan of attack: The Union flanks would be secured by detached portions of the attached Indian Battalion. The ten companies of the First Kansas Colored Volunteers Infantry Regiment were to make up the main attack force, along with parts of the Third Indian Home Guard Regiment and a battalion of Second Colorado Infantry Regiment.[3]

At dawn the troops were roused from a fitful sleep and moved anxiously into their assigned combat positions. By eight o'clock that morning the troop placements had been made ready. Colonel Williams, locating himself at a vantage point in the center of the line behind his black regiment, ordered the artillery on the wings to commence firing. For forty minutes the Second Kansas Artillery Battery poured solid shot and shell upon the entrenched Confederates across Cabin Creek. Believing that the cannonade had driven the enemy from their placements, Williams ordered Major Foreman forward with one company of the Third Indian Home Guard Regiment. Major Foreman rose to his feet, saber in hand, and yelled for his men to charge. As one unit, the entire company quickly moved to the banks of Cabin Creek. Meeting no serious defensive fire from the opposite shore, the Indian company negotiated the steep bank and moved into the deep water. By holding their weapons and ammunition above their heads, these articles were kept operative and dry. As the attack force from the Third Indian Home Guard Regiment neared the enemy shore, concealed Confederates began to pour a merciless fire upon them. On a horse, Major Foreman was a prime target. He was one of the first to be hit. After five musket balls had hit his mount, two balls found Major

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2 Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 28-29; Cubage, "Engagement at Cabin Creek, Indian Territory," *Chronicles of Oklahoma*, X, pp. 46-47; Williams to Phillips, July ——, 1863, *Official Records*, i, XXII, Pt. 1, p. 380.

3 *Ibid.*

Foreman, pitching him violently into the water. Seeing their gallant major taken from the fighting, the Indian troop quickly lost all heart for combat and began a confused withdrawal back across Cabin Creek.

Colonel Williams immediately ordered forward reinforcements. The First Kansas Colored Volunteers Infantry Regiment, waiting a short distance back from the creek, rushed to the edge of the bank and began a covering fire, trying to mask the fire of the Confederate musketry. Three companies of the colored troops were maneuvered to the right of the Union center and there began to lay down a permanent blanket of covering fire for the second attack column. The Federal artillery also began tearing away at suspected Southern positions in an effort to dislodge them from the far bank. Colonel Williams ordered the artillery to cease firing and instructed the company officers to take their commands across the creek.

Before the din of the artillery pieces had completely stilled, the black troops began moving down the banks of Cabin Creek and into the murky waters. All of these black companies were plunging on across the creek trying to be the first unit to get ashore on the far side. Confederate musket fire began to tear small holes in the emersed double blue line when the three reserve black units returned the enemy fire and completely masked it. Climbing up the slippery banks the colored units quickly realigned and began moving forward in regimental front.

Cavalry rushed across the creek and took up a position on the right flank of the long Union line. Another mounted unit, commanded by Lieutenant Philbrick, moved through the advancing colored infantry, assembled into a heavy skirmish line and with a yell of command and encouragement charged the Confederate secondary entrenchment across the prairie, pistols blazing, sabers held high. The weight of the cavalry attack, along with the heavy infantry musket fire of the black soldiers was too much for the Confederate line to bear. It fell apart and Southern troops ran for their lives, oblivious to their officers' entreaties to stand and fight.

Seeing the Confederate line put to flight, Colonel Williams stopped the infantry pursuit and ordered forward his reserves of cavalry to continue the chase. Despite the heavy firing on both sides only fifty-one soldiers were killed and seventy wounded. Of these figures, one killed and twenty wounded belonged to the Union casualty list. Putting his column into line and returning to his parked wagon train, Colonel Williams pushed on to Fort Gibson, his mission being accomplished.[4]

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[4] *Ibid.*, pp. 380-381.

Ever since the first gun sounded the beginning of the Civil War, interested people north and south of the Mason-Dixon Line continually asked about the role the Negro was to play in the War. The Negro, in general, was individually quick to catch the war fervor. Upon learning of the massacre of Sixth Massachusetts Volunteers in the streets of Baltimore, Maryland, April 19, 1861, a large group of Negroes rented a public hall in which they practiced drill and manual of arms hoping to thereafter enlist.

President Abraham Lincoln in 1861 was very reluctant to use Negroes as troops. His hesitance was due to the fear of alienating the border states. Lincoln's Secretary of War, Simon Cameron actively advocated the use of Negro troops but because of his ineffectiveness as a cabinet member, was removed before he could lay any groundwork on enrolling Negro regiments.[5] Major General David Hunter, Commander of the Department of the South, was the first military man to take any direct action in the recruitment of Negroes. On May 9, 1862, General Hunter called together his staff and issued orders that all able-bodied Negro males capable of bearing arms were to be sent, under guard to departmental headquarters. Hunter formed these men into the First South Carolina Colored Volunteers Regiment, but due to political pressure and lack of Federal recognition for the black regiment by the government, it was disbanded in August, 1862. Though not sanctioned officially, the First South Carolina Volunteers Regiment was the first actual recruitment and arming of Negro men.[6]

Activity for Negro recruitment was present in the trans-Mississippi area as well as in the Department of the South. The pro-Union state of Kansas did not lag behind in the recruiting of Negroes for military purposes. A discussion of the military uses of the Negro would not be complete without a mention of James Henry Lane. Lane, a United States Senatorial candidate representing Kansas, was elected in 1861. Speaking in Fort Leavenworth, Kansas, early in 1862, Lane said, "I do say that it would not pain me to see a Negro handling a gun and I believe the Negro may just as well become food for powder as my son."[7]

Actual recruitment of colored men in Kansas began on July 22, 1862. It was on this date that Lane was designated recruiting agent in the Union Department of Kansas. Because his commission did not mention the particular race to be recruited in

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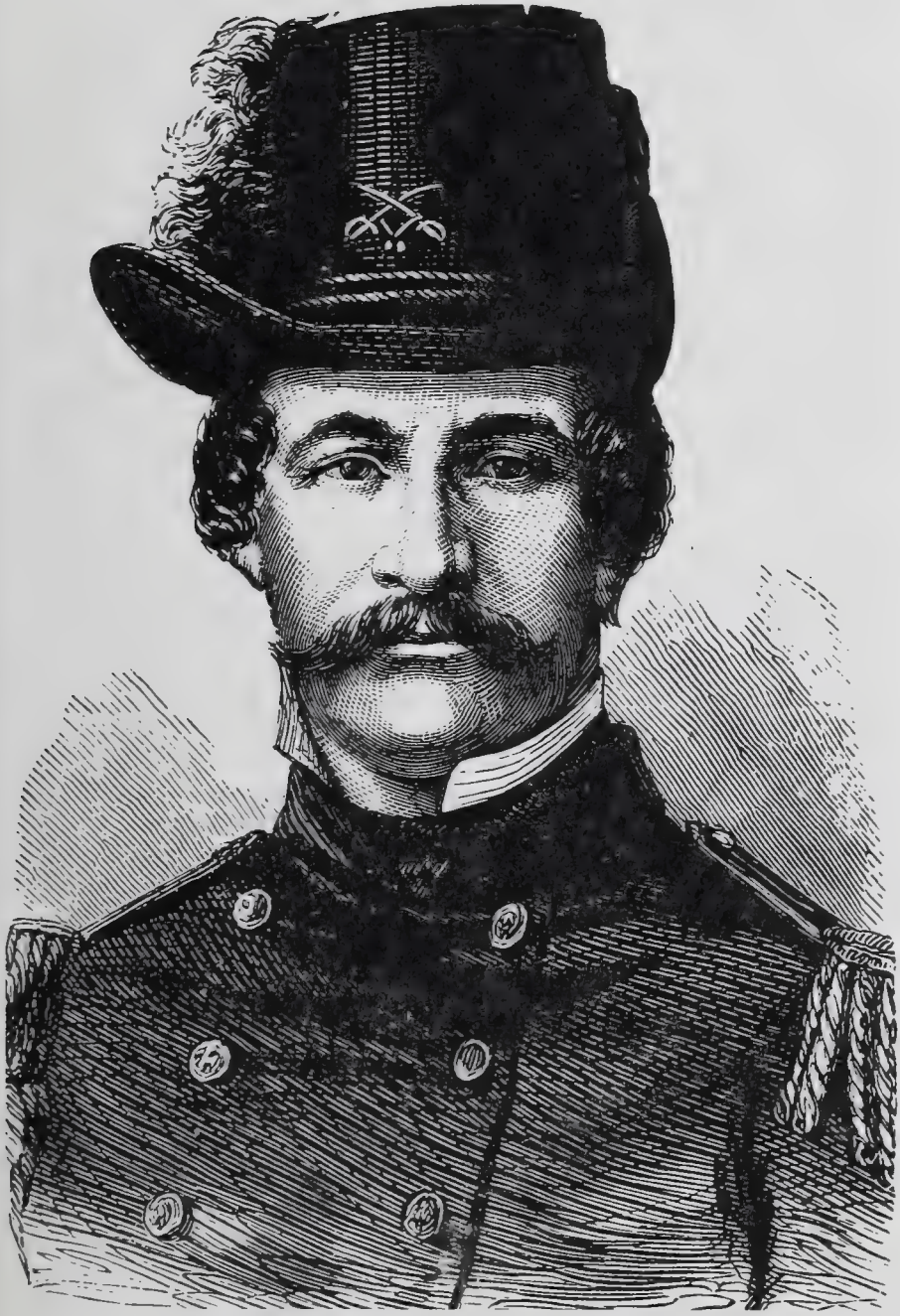
[5] Thomas J. Boyd, "The Use of Negro Troops by Kansas During the Civil War" (Unpublished Master of Arts Thesis, Kansas State Teachers College, Pittsburg, Kansas, 1950), pp. 1-2.

[6] *Ibid.*, pp. 2-4.

[7] *Ibid.*, p. 11.



(Leslie's: Famous Scenes of Civil War, 1896)

MAJOR GENERAL DAVID HUNTER

Federal Commander of the Department of the South was the first military officer in the Civil War to order the recruitment of Negroes for military service May 9, 1862.

the enrollment of enlistees for United States infantry regiments, Senator Lane signed up colored as well as white recruits. The actual enrollment of Negroes into the army brought forth many objections: Sympathizers for the rebellion feared the addition of the Negro manpower to the reserves of the United States. Some just disliked the race as a whole. Making the Negro a soldier gave him undeserved social stature and a few believed that enrollment in the army would not be in the best interest of the Negro. Still others were present who believed that the Negro did not have the necessary qualifications to make a courageous and efficient soldier.[8]

Colonel Williams was placed in charge of raising the first regiment of colored troops. He was hampered at every opportunity by resentful civilians. His recruits were arrested and jailed on fraudulent charges by county officials, and the white officers of the proposed regiment were harrassed with trumped-up charges, such as unlawfully depriving a person of his freedom.[9]

By January 13, 1863, the Kansas First Colored Volunteers Infantry Regiment, as the colored unit was called, was ready to be mustered in, comprising six of the ten companies necessary to make up an infantry regiment. By May 2, 1863, the remaining four companies were filled and mustered in, filling the regiment completely.[10] Before the new companies had time to pitch tents alongside their sister companies, the commanding general of the Kansas department, Major General James G. Blunt, ordered the entire colored command to report to Baxter Springs located in southeastern Kansas. Baxter Springs was less than a day's ride from Indian Territory.

Colonel Williams was to open up a permanent line of communication with the outermost Federal post in Indian Territory, Fort Gibson. Being so close to Indian Territory, it is doubtless that many Negro scouting patrols weaved back and forth across the Kansas and Indian Territory border. The regiment of colored soldiers occupied the Baxter Springs fortification and vicinity until June 26, 1863. On this date instructions were received from departmental headquarters stating that the Kansas First Colored Volunteers Infantry Regiment would form part of an escort to a very important supply and provisions wagon train. Because of the rough topographical features in eastern Indian Territory the only dependable route of supply to Fort Gibson and the

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8 *Ibid.*, pp. 14-15.

9 *Ibid.*, p. 15.

10 *Ibid.*, pp. 16, 17, 20-21.

Union garrison stationed there was the Texas Road.[11] The post and troops stationed at Baxter Springs testified to the value of the dusty artery. On June 26, 1863, the Kansas First Colored Volunteers Infantry Regiment was joined by Major Foreman and his reinforced Union Indian Brigade. Forming his column into line and throwing out flankers Colonel Williams, the commander of the train by seniority of rank, ordered the train and cavalry escort southward. The wagon train and escort was spread over a two mile stretch of the Texas Road. Sometimes on rough portions of the Texas Road, the length of the train extended up to three miles. The infantry would stretch along both sides of the road and keep a watch for Confederate snipers. The cavalry scoured the point, both flanks and rear for signs of enemy troop movements. The train entered Indian Territory on the night of June 30 or early morning of July 1. All was quiet for the Union train until midday July 2. Major Foreman, commander of the point and reinforced vanguard, sent back a message to Colonel Williams who was riding with the main body that a Confederate force of an undetermined number had been encountered on the south bank of Cabin Creek. The skirmishing of Foreman's point resulted in three Confederate dead and a like number captured; no Union soldiers were killed or wounded.[12]

Receiving word of the encounter, Colonel Williams moved forward with a twelve pound field howitzer. This gun joined the lighter artillery of Foreman's Brigade and together they began to probe the opposite bank of Cabin Creek for Confederate emplacements and trenches. Solid shot and salvos of canister forced the Confederates to call in their skirmishers and consolidate their fortifications leaving the Federal colored troops in command of the north bank of Cabin Creek and the surrounding woods. After making a reconnaissance of the creek and discovering it to be too deep for his infantry force to ford, Colonel Williams decided to hold off on an immediate attack and ordered his colored regiment into camp a safe distance from the Confederate fire. The attack was scheduled to begin at dawn. The black regiment posted a strong security on the banks of Cabin Creek and then retired back from the bank and set up camp. While his colored troops were preparing for the next morning's fight, Colonel Williams ordered the bugler to sound an officer's call as he planned that evening a war council.

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11 The Texas Road was also known as the "Military Road" though the former name was by far the more familiar. The Texas Road ran roughly in a north-south direction bisecting the eastern part of Indian Territory. Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," p. 45.

12 Phillips to Blunt, July 7, 1863, *Official Records*, i, XXII, Pt. 1, pp. 378-379; Cubage, "Engagement at Cabin Creek, Indian Territory," *Chronicles of Oklahoma*, X, pp. 47-48.

Colonel Williams outlined his plan to his staff and line officers as thus: Lieutenant Colonel L. H. Dodd, commander of the original wagon train escort, would remain in that position and remove his wagons to a point two miles to the rear of the Cabin Creek ford. The prairie located there would offer enough space to corral the entire train; a minimum guard escort would accompany Lieutenant Colonel Dodd. The artillery sections would be positioned on both flanks of the enemy not more than two hundred yards from their entrenchments. Two six-pounder cannons would be located on the left flank, one twelve-pound howitzer and one mountain howitzer would hold down the right flank. These artillery pieces would lay down a cover of fire while the Kansas First Colored Volunteers Infantry Regiment, supported by Foreman's Union Indian Brigade troops, made an attempt to force a crossing, having the intention of routing the Confederate soldiers located there. Following this general operation order, Colonel Williams issued his attack order: Major Foreman and one company of his Indian Home Guards Regiment would lead the attack; Lieutenant Colonel John Bowles would lead the ten companies of the Kansas First Colored Volunteers Infantry Regiment; behind Lieutenant Colonel Bowles would be one battalion of the Second Colorado Infantry Regiment, commanded by Major J. Nelson Smith. In reserve and guarding the Union flanks would be the three companies of Wisconsin and Kansas cavalry; included in this reserve was the remainder of Major Foreman's Indian Brigade, having the secondary mission of being infantry flank guards.[13]

On July 2, 1863, the Negro and Indian soldiers broke camp and by daylight, the long swaying columns were marching to their assigned positions. The Confederate troops across the creek were greeted at dawn with an alarming sight. Cannons, caissons, and outriders were surging back and forth along the rear of the forming Union battle line with reckless abandon. From the dense woods near the creek emerged a long column of colored soldiers. On reaching the designated position for the infantry line to begin the attack, Lieutenant Colonel Bowles stood up in his saddle, saber aloft, shouting orders and giving instructions. Like the ribs of a mammoth fan, the columns of infantry separated from the main body, stopping with the completion of the double rank formation, of linear tactics used by Civil War infantry units. Mounted officers rode up and down the lines, filling gaps, offering encouragement, and straightening the battle formation where nec-

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[13] Wiley Britton, *The Union Indian Brigade in the Civil War* (Kansas City, Missouri: Franklin Hudson Publishing Co., 1922), pp. 258-262; Phillips to Blunt, July 7, 1863, Williams to Phillips, July ——, 1863, Foreman to Phillips, July 5, 1863, *Official Records*, i, XXII, Pt. 1, pp. 378-379, 380-381, 382.

essary. By eight o'clock that morning all was ready. With a deafening roar the Union artillery on the flanks began to lay down heavy covering fire. For forty minutes the artillery barrage barked at the Confederate ditches; both solid shot and infantry-killing canister hurtled toward the Confederate positions. Colonel Williams ordered soundings taken of the creek; upon satisfactory reports that the creek had fallen sufficiently to allow fording, he prepared to attack. After a last-minute conference with his staff, he ordered these officers to post. The attack was about to begin. The colored soldiers knelt in position waiting for the word to move forward, involuntarily flinching with each artillery report. There was neither fear nor demoralization in these black troops since they had been bloodied in Kansas and they were prepared to die for the Union.[14]

Colonel Williams ordered the artillery to cease-firing and instructed Major Foreman to move on the Confederate positions. Company officers carried these orders to the men in the ranks. As one entity the Indian units rose to their feet and rushed forward, yelling and screaming. Jumping into the chest-high waters, these soldiers fighting the sharp current crossed the creek. Holding guns and ammunition above their heads, the Indian troops kept these invaluable supplies dry and usable. As the Northern Indian forces neared the opposite shore, concealed Confederate Indian troops opened up on the vulnerable Union Indian Brigade. Major Foreman was shot twice by musketry, and his horse receiving five wounds was shot out from under him. The fall of their commander was too much for the Indian company to bear; they began a perfidious retreat back across the creek to their former positions.[15]

Colonel Williams immediately issued instructions which would send his own regiment across the creek. The awaiting colored soldiers, upon receiving the order to advance, leaped to their feet with a yell and dashed to the creek bank. Once in the creek the black unit pursued the opposite shore and the Confederates hidden there. To prevent a similar surprise volley on the black regiment Colonel Williams pulled three companies of the Kansas First Colored Volunteers Infantry Regiment out of the main attack column and stationed them along the Union bank of Cabin Creek to the right of the Union column. These troops began firing at the far bank in an effort to force the Confederates down behind their entrenchments until the rest of the regiment could overrun the position. The artillery fired

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[14] Britton, *The Union Indian Brigade in the Civil War*, pp. 261-263; Williams to Phillips, July ——, 1863, Foreman to Phillips, July 5, 1863, *Official Records*, i, XXII, Pt. 1, pp. 380, 382.

[15] Williams to Phillips, July ——, 1863, *Official Records*, i, XXII, Pt. 1, p. 380.

salvos again and the vicinity of Cabin Creek echoed and re-echoed with the din of cannon reports. The Kansas First Colored Volunteers Infantry Regiment quickly and without serious casualties cracked the Southern earthworks and secured the far bank. The black regiment displayed superb discipline in the manner they responded to the orders of their officers. New lines were formed on the enemy's side of the creek and the colored Union regiment moved out on the nearby prairie to offer battle to the Confederates drawn up on the far side.

Lieutenant R. C. Philbrick, commander of Company C, Ninth Kansas Cavalry Regiment, moved segments of his mounted unit across the creek to the support of the vulnerable flanks of the long Union line. With less than 400 yards separating them, the two lines of infantry faced each other. The Negro troops knew that only complete vanquishment of the enemy would do; it was a well known fact that no prisoners or quarter was given when colored troops were involved in an engagement. The deathly quietness hanging over the Confederate and Union lines was broken with the renewed fire of the Union artillery and the three companies of black infantry renewing their covering fire. The aligned Federal infantry did not attack as expected; instead the center portions of the colored line fell back, allowing two companies of Captain John E. Stuart's cavalry through. One company moved to the left; the other column dashed to the right forming a single line of horsemen. Halting long enough to align, the Kansas horsemen drew sabres and giving a piercing yell, lunged toward the Confederate line. Opening fire, the Confederates tried to unsaddle the charging Union Cavalry. The colored troops began to give a supporting fire which had an immediate and revealing effect. Charging cavalry on the Southern Indian was too much to bear. The Confederate line fell apart under the weight of the mounted assault and the men in the ranks made for the rear and safety. Colonel Williams ordered fresh cavalry to pursue the defeated Southerners and moved up his black regiment to secure the abandoned Confederate positions and care for the wounded enemy.[16]

The Federal pursuit was called back after a five mile chase. Union losses included only one colored soldier killed and twenty Indian and colored troops wounded. The Confederate loss was estimated at fifty killed, a comparative number wounded, and nine prisoners. From the captured Confederate soldiers, information was learned that the leader of the enemy attacking force had been Colonel Stand Watie, the most able Confederate Indian in Indian Territory. With a force of only 900 men Colonel Williams had beaten off a serious attack of a Confederate force

16 *Ibid.*, pp. 380-381.

numbering close to 2,200 men. The Kansas First Colored Volunteers Infantry Regiment and attached units had definitely proven their mettle in battle. Sending for the parked supply train, Colonel Williams put his victorious column on the Texas Road and continued south toward Fort Gibson. The victory at Cabin Creek had a noticeable effect on all the Union forces concerned; the morale was high, the step lively and the spirit of soldierly unity grew.[17]

The action at Cabin Creek proved without a doubt that the Negro troops were good fighters. They had fought and defeated a superior foe who did not give quarter. Colonel Williams had a regiment he could be proud of and depend on in tough situations. Action and combat is what these colored troops hungered for and within a few days all appetites would be satisfied.

The addition of the Kansas First Colored Volunteers Infantry Regiment to the Indian and white units already stationed at Fort Gibson now made it possible for the Union forces to assume an offensive attitude. Word was filtering back across the Arkansas that the Confederates were massing for a big offensive campaign. This push would have to be stopped whatever the cost or everything that the Union presence represented in Indian Territory would be obliterated. On July 11, 1863, Fort Gibson was surprised by an unannounced visit of their Commanding General, Major General Blunt. Accompanying him were six hundred cavalry troopers, representing various Kansas and Wisconsin cavalry units.

Major General Blunt went into immediate conference with all of the company and staff officers about the impending campaign he planned to launch below the Arkansas River. Blunt organized his mounted troops and infantry companies into two Brigades. The First Brigade, commanded by Colonel William R. Judson, held the colored regiment; the Second Indian Regiment dismounted as infantry and various sections of artillery. The Second Brigade made up of mostly white soldiers, was commanded by the Fort Gibson commander, Colonel William A. Phillips.[18]

Because of the July rains the Grand River was quite swollen and impassable. Major General Blunt began constructing rafts which were to be used to transport his units at the earliest opportunity. On the evening of July 15, 1863, scouts reported that the Grand River was fordable a short distance above the juncture point with the Verdigris River. At midnight on July 15, Major

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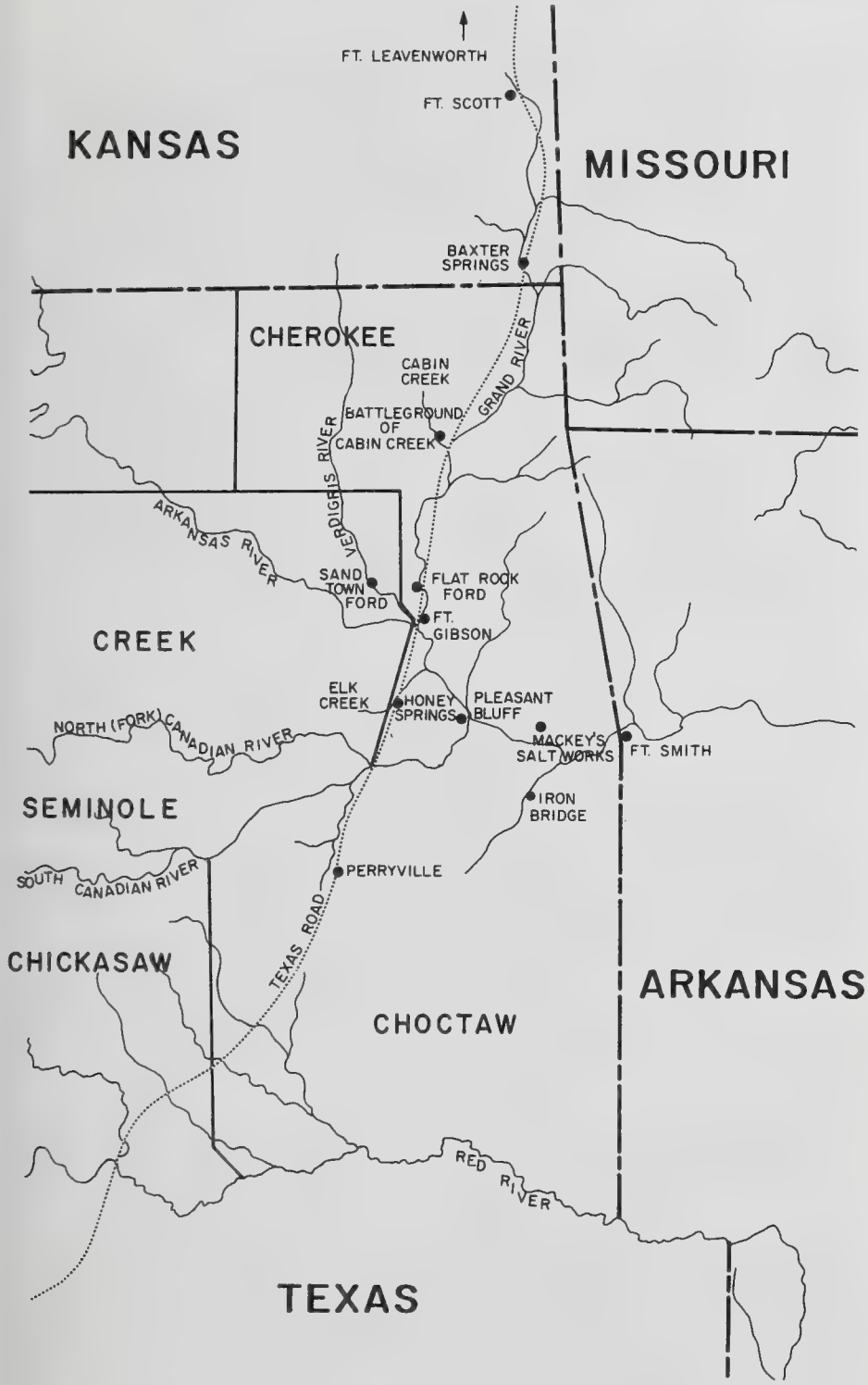
17 Neal, "Federal Ascendancy in Indian Territory, 1862-1863," pp. 102-103; Phillips to Blunt, July 7, 1863, Williams to Phillips, July ——, 1863, *Official Records*, i, XXII, Pt. 1, pp. 379, 380-381.

18 Britton, *The Union Indian Brigade in the Civil War*, p. 273.

General Blunt led 250 cavalry and supporting artillery, taken from the First Brigade, out of Fort Gibson to force a passage across the Grand River. The remainder of the Union offensive force could then cross safely, opening the campaign. The remainder of the First Brigade under Colonel Judson, including the First Kansas Colored Volunteers Infantry Regiment, and the Second Brigade under Phillips, also moved out of Fort Gibson taking a more direct route to the ford selected as the point of crossing. Arriving at the ford, near the mouth of the Grand River, the Negro troops settled down to await the outcome of vanguard on the enemy side of the river. Scattered shots and infrequent volleys could be heard all the rest of the night.

By early morning Union soldiers appeared opposite the waiting Federal columns and waved for them to cross. The barges were brought forward, the infantry units were ferried across, and the opposite shore and vicinity was tightly secured, allowing the rest of the column to be poled across. This ferrying maneuver was not completed until well after dark. By 10 o'clock the night of July 16, all of the Federal troops and their equipage were on the hostile side of the Grand River. Choosing not to encamp for the night the Negro and Indian companies formed up in the stealth of the darkness in their marching order and immediately began to trek southward. The entire Union force numbered only slightly less than 3,000 men. The Confederate force was estimated by the reports of spies to surpass 6,000 men, all heavily armed and deeply entrenched on the banks of Elk Creek. Marching throughout the night, the long Federal column lumbered toward its objective on Elk Creek. By daylight the point squad brushed with the forward element of the Confederate outpost. Quickly reinforced, the Federals drove the Southern soldiers back on their own column and entrenchments which were formed in attack order on the south side of Elk Creek. The Confederate emplacements extended their lines for one and a half miles on either side of the Texas Road. Leaving orders to close up the column which had become strung out in the darkness, Major General Blunt took a small escort and moved to the front to examine the defenses of the waiting Confederate force. Blunt was close enough to the concealed Confederate's trenches that he could tell they were ready for an attack. He could not locate the Southern artillery and in an effort to move closer and pinpoint it, the small mounted party was spotted and drew musket fire from Confederate outposts. Withdrawing to a



MAP

Area of Operations for Negro Troops in Indian Territory
1863-1865

place of safety one of Blunt's escorts, shot dead, was toppled from his horse.[19]

Returning to his fast-approaching column, Blunt found his men and horses exhausted from their all night forced march. He directed them to take cover behind a nearby ridge to rest and eat some food from their haversacks before going into battle. Men of the Kansas First Colored Volunteers Infantry Regiment ate a quick lunch and then readied their weapons for the coming fight. Major General Blunt issued an officers' call and when all the company commanders were assembled, he outlined his plan to them. The column would be divided into two parts: The First Brigade under Colonel Judson would form up on the west or right side of the Texas Road and the Second Brigade under Colonel Phillips would position itself on the east or left side of the Texas Road. Both columns would have their infantry formed by company, the cavalry in platoons, and artillery stationed by sections. All units would keep a tight and closed formation so as to deceive the Confederate forward observers of the Federal strength.

Having issued these instructions and cleared away any questions, Blunt ordered his officers to post and prepare to march. As if on parade the one large column broke into two smaller ones, one on either side of the road. The columns moved out rapidly and closed the distance from the enemy to less than one-quarter mile. As soon as Blunt began receiving musket fire from Confederate outposts, he ordered his columns into a battle line of two ranks. Without halting, the battle formation was formed. Similar to spokes of a wheel emanating from a central point, the ranks broke from the main body and moved forward in double ranks. Skirmishes were thrown out in front of the main line in order to probe the enemy defenses for a weak point. The secreted Confederate artillery revealed its location when it opened fire on the Union skirmish line.[20]

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[19] Blunt to Schofield, July 26, 1863, Phillips to Blunt, July 7, 1863, General Report, Brigadier General W. L. Cabell, December 7, 1863, *Official Records*, i, XXII, Pt. 1, pp. 447, 379, 604; Blunt to Curtis, July 13, 1863, *ibid.*, Pt. 2 p. 367; Wiley Britton, *The Civil War on the Border*, II (2 Vols., New York: G. P. Putnam's Sons, 1890-1904), pp. 100, 115-116; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 29-30.

[20] Cabell to Duvall, December 7, 1863, Blunt to Schofield, July 26, 1863, *Official Records*, i, XXII, Pt. 1, pp. 604, 447; Phillips to Blunt, July ——, 1863, *ibid.*, Pt. 2, pp. 355-356; Britton, *The Civil War on the Border*, II, pp. 115-119; Britton, *The Union Indian Brigade in the Civil War*, p. 273; Neal, "Federal Ascendancy in Indian Territory, 1862-1863," p. 106; Wyant, "Colonel William A. Phillips and the Civil War in Indian Territory," p. 54; Charles R. Freeman, "The Battle of Honey Springs," *Chronicles of Oklahoma*, XIII (June, 1935), p. 163.

Colonel Williams, previous to forming a line of battle, spoke to his colored troops encouraging them to fight for honor, duty and country. Williams told his troops, "I want you all to keep cool, and not fire until you receive the command; in all cases aim deliberately and below the waist. I want every man to do his whole duty, and obey strictly the orders of his officers."[21] Receiving orders to be in the right column on the west side of the road, Colonel Williams moved his regiment into line with precision and accuracy. The Kansas First Colored Volunteers Infantry Regiment, 500 men strong in this engagement, was to support Captain E. A. Smith's artillery located also on the right flank; as a secondary mission the colored troops were to seek out a weak point in the Southern line and exploit the enemy weakness, if located. The men in the ranks were nervous, but anxious to meet the enemy across the prairie and finish the task of liquidation they had begun at Cabin Creek. Once in position these black troops fixed bayonets and knelt in the dew laden grass to await the word of attack. The colored regiment held the most important point of the Federal line, the center portion of the line astride a section of Smith's artillery.

The battle opened with a deafening roar as the Union cannon blazed into life, pouring shot and canister into the Confederate positions. After a period of bombardment, Lieutenant Colonel Bowles, commanding this section of the Federal line, rode his horse out in front of the black regiment and ordered them forward. The entire regiment stepped out and marched with perfect alignment toward the concealed enemy. The 300 yard gap between the two positions began rapidly closing. The Confederate artillery began pounding the black phalanx, tearing huge gaps in the oncoming Union line. Seeing this courageous example of daring, several of the other Federal units marched out to offer battle. The Second Colorado Cavalry Regiment (dismounted) joined with the Kansas First Colored Volunteers Infantry Regiment's right. The Second Indian Home Guards Regiment, commanded by Colonel W. F. Schaurt, moved up on the black regiment's left. Pushing through the tall prairie grass and isolated islands of trees and brush, the colored unit moved up to within forty yards of the enemy line. Lieutenant Colonel Bowles halted the unit and ordered it to, "ready, aim, fire."[22]

Instantly, two long rows of smoke and flame blazed forth as the double rank of the Union line erupted with a volley of musketry. At the same moment the Confederate line returned the Union volley with one of their own. Both lines loosed their fire at the same instant making it appear that the Confederates

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[21] Bowles to Judson, July 20, 1863, *Official Records*, i, XXII, Pt. 1, p. 449.

[22] *Ibid.*, p. 450.

thought the command to fire given by Union Lieutenant Colonel Bowles was given by their own commander. It was at this point that Colonel Williams, now located on the extreme right of the Federal line, was felled, severely wounded on the face, breast and hand. Lieutenant Colonel Bowles upon receiving word of the wounding of Colonel Williams, assumed command and pushed the attack of the Kansas First Colored Volunteers Infantry Regiment along all the line. Due to over enthusiasm, the Federal Second Indian Home Guard Regiment mistakenly placed itself between the Union and Confederate fields of fire. Lieutenant Colonel Bowles immediately ordered a cease fine of his units and yelled at the Union Indian command to fall back out of the line of fire.

The Confederates thought the withdrawal command was meant for all of the Northern forces to their front and immediately moved to take advantage of the black regiment. Colonel Charles DeMorse, commanding the Confederate's Twenty-Ninth Texas Infantry Regiment, ordered his companies forward to press the supposed retreat. Meantime the Indian troops had removed themselves from the line of fire and the colored troops steadied themselves for the onrushing Confederate Twenty-Ninth Texas. On command the double line of the black soldiers delivered two calm volleys into the charging Southern troops. Having reached a distance of only twenty-five paces from the Union line, the fire of the Federals was disastrous. The first rank of the Twenty-Ninth Texas simply disappeared, and the second Federal volley tore huge holes in the next rank and the Southern attack slowed. The line stalled and with the firing of another volley, it stopped completely and began a disorganized retreat. Momentarily the screams of the wounded and triumphant yells of the black troops rose above the din of gunfire signifying all up and down the line that a Federal victory was within their grasp. The entire Union front seemed to gather courage and strength from the colored soldiers' coup and surged forward. The pressure of the combined Union attack was too much; the Confederate troops broke ranks and made for the rear and safety. All along the mile and a half front, the Southerners began breaking contact; the battle of Elk Creek was a decisive Union victory.[23]

Major General Blunt ordered in cavalry to push the Confederate rout to the utmost. The retreating Confederates made several counterattacks, but all proved too feeble to stall their vigorous pursuers. Regaining their unit integrity, the Kanasas First Colored Volunteers Infantry Regiment secured the battle-

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[23] *Ibid.*; Neal, "Federal Ascendancy in Indian Territory, 1862-1863," pp. 107-109; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 31-32.

field and pushed on to the supply depot located two miles further south at Honey Springs. The Confederates, seeing the tide of battle change against them, set fire to their commissary building destroying practically all edible supplies. Moving past the smoldering buildings and dropping off a detachment of Union troops to secure the Southern supply depot, Blunt continued the chase for three more miles before he ordered recall. The terrain prevented further pursuit with artillery; the cavalry horses were in a jaded state and the black infantry was short of ammunition and exhausted. Blunt moved up his orderlies and staff stationing field headquarters at the Honey Springs compound. Colonel Williams' soldiers found many sets of shackles amid the ruins of the Confederate depot. Captured Confederate prisoners reported that the shackles were to be used to secure any black soldiers captured during the fight and subsequent return to his Southern master.[24]

Union losses at Honey Springs amounted to seventeen killed in the fighting and sixty wounded, most of which were superficial. The Southern casualties were much greater, having 150 killed and buried on the field, 400 wounded and seventy-seven captured. Also taken from the Confederate force were one artillery piece, one stand of Confederate colors, 200 stand of arms and fifteen wagons found at the Honey Springs depot, which were later burned on Blunt's orders. Major General Blunt praised his entire command for its actions at Elk Creek and the Confederate supply depot at Honey Springs. He singled out the Kansas First Colored Volunteers Infantry Regiment for singular courage and valor saying they "particularly distinguished . . ." themselves. "They fought like veterans, and preserved their line unbroken throughout the engagement. Their coolness and bravery I have never seen surpassed . . ."[25]

The defeat of the Confederate forces at Honey Springs, June, 1863, marked the twilight of the Southern dominance in Indian Territory. The valor and fighting ability of the Negro troops greatly helped in pushing and containing the Confederate forces below the Arkansas River. For the remainder of the war in Indian Territory these black units would again meet Southern Indians on the field of battle and prove to all doubters their victory at Honey Springs was not chance. The Kansas First Colored Volunteers Infantry Regiment moved to Fort Gibson and was temporarily attached to the permanent garrison there. The Kansas First Colored Volunteers Infantry Regiment

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[24] Britton, *The Union Indian Brigade in the Civil War*, pp. 282-283.

[25] Blunt to Schofield, July 26, 1863, *Official Records*, i, XXII, Pt. 1, p. 448; Neal, "Federal Ascendancy in Indian Territory, 1862-1863," pp. 109-110.

remained at Fort Gibson the entire month of August, 1863, per forming routine patrol and garrison duties.[26]

On September 14, 1863, the Kansas First Colored Volunteers Infantry Regiment joined its sister regiment, the newly formed Kansas Second Colored Volunteers Infantry Regiment at Fort Smith, Arkansas.[27] Both Negro regiments were then attached to the Second Division, Army of the Frontier. For the next two and one-half months these two units conducted various operations deep in Confederate Indian Territory. Several of their combat raids ventured as far south as Perryville, deep in the Choctaw Nation. On December 1, 1863, the Kansas First Colored Volunteers Infantry Regiment and the Kansas Second Colored Volunteers Infantry Regiment were transferred to Arkansas to operate against Confederate Major General William Steele, who was launching a counterattack against Federal Major General Fredrick Steele. The Kansas First Colored Volunteers Infantry Regiment remained in Arkansas after the Confederate thrust had been thwarted and was involved in heavy fighting until May, 1864, when it was transferred back to temporary garrison duty and fatigue detail at Fort Smith, Arkansas.[28]

On June 15, 1864, the Kansas Second Colored Volunteers Infantry Regiment became involved in a brisk skirmish with Brigadier General Watie at Iron Bridge, Choctaw Nation. The Federal general headquarters at Fort Smith had decided to experiment with supplying the Union outpost of Fort Gibson by water. Usually summer rains raised the Arkansas River enough to allow shallow draft craft through to the upper parts of this important tributary. In early June the craft, *J. R. Williams,* was selected and loaded with basic condiments and other important necessities. In planning the re-supply of Fort Gibson by water the escort assigned to guard the valuable supplies was much too small. Upon arrival at the steamer, only twenty-six men comprised the entire guard mount. The cargo had an assessed value of over $120,000, and seemingly deserved more security than twenty-six men could supply if difficulty arose.

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26 Joseph Thomas Wilson, *The Black Phalanx: A History of the Negro Soldiers of the United States in the Wars of 1775-1812, 1861-1865* (Hartford, Connecticut: The American Publishing Company, 1888), p. 234; Boyd, "The use of Negro Troops by Kansas During the Civil War," p. 36.

27 Authorization to raise a second regiment of Negro troops came from the War Department in June, 1863. The completion of this second regiment, the Kansas Second Colored Volunteers Regiment, was reached in November, 1863, having ten infantry companies. Boyd, "The Use of Negro Troops by Kansas During the Civil War," pp. 31-36, *passim.*

28 Wilson, *The Black Phalanx: A History of the Negro Soldiers of the United States in the Wars of 1775-1812, 1861-1865,* pp. 234-240.

Arriving at a point five miles below the mouth of the Canadian River, the *J. R. Williams* was brought under Confederate artillery fire. Lieutenant Horace A. B. Cook, Company K, Twelfth Kansas Volunteer Infantry Regiment was taken by complete surprise and his men managed to return only a scattered ineffective volley of musket fire before the Southern cannon had completely disabled the Union ferry craft. The captain of the *J. R. Williams* managed to maneuver and ground the disabled craft on the far shore of the Arkansas River, opposite the Confederate artillery and infantry entrenchments.[29]

Believing the situation aboard the *J. R. Williams* hopeless, Lieutenant Cook moved his men off the steamer to a nearby sandbar. Outnumbered, and having no known relief in the vicinity, Cook soon decided to break contact with the entrenched Confederates. He would try to reach Fort Smith and come back with reinforcements to retake the ferry boat. A party of Cook's command, which had become separated from the main body made its way about ten miles distant from the disabled steamer to Mackey's Salt Works, where Colonel John Ritchie had a command of 800 men from the Second Union Indian Regiment. Ritchie moved a part of his force to the crippled *J. R. Williams* and quickly brought the looting Confederate Indian troops under fire. During the interval of Cook's retreat and the arrival of Ritchie, Colonel Watie had towed the Union steamer across the river.[30] By evening of June 16, Watie was informed that a large force of Union Negro troops, with several pieces of horse artillery, was coming up from the direction of Fort Smith. This unit was the Kansas Second Colored Volunteers Infantry Regiment,

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[29] Maxey to Kirby-Smith, January 15, 1864, Samuel Bell Maxey Papers, Thomas Gilcrease Institute of American History and Art, Tulsa, Oklahoma; Phillips to Curtis, March 7, 1864, *Official Records*, i, XXXIV, Pt. 2, pp. 524-525; Cooper to Scott, June 17, 1864, Watie to Cooper, June 17, 1864, Watie to Cooper, June 27, 1864, *ibid.*, Pt. 1, pp. 1011-1012, 1013; Thayer to Steele, May 23, 1864, Thayer to Rosecrans, May 26, 1864, Durbin to Heiston, June 14, 1864, *ibid.*, Pt. 4, pp. 11, 50, 687; Civil War Claims, Foreman Papers Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma; James D. Morrison, "Capture of J. R. Williams," *Chronicles of Oklahoma*, XLII (Summer, 1964), pp. 107-108; Britton, *The Union Indian Brigade in the Civil War*, p. 401; Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People*, I (4 Vols., New York: Lewis Historical Publishing Company, Inc., 1929), pp. 361-362; Joseph B. Thoburn. *A Standard History of Oklahoma*, I (5 Vols., Chicago: The American Historical Society, 1916), pp. 326-327.

[30] Cooper to Steele, June 17, 1864, *Official Records*, i, XXXIV, Pt. 1, p. 1012; Thayer to Steele, June 22, 1864, Maxey to Boggs June 20, 1864, *ibid.*, Pt. 4, pp. 504, 686; Special Orders Number 171, Adjutant and Inspector General's Office, July 21, 1864, *ibid.*, XLI, Pt. 2, p. 1019; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 93-96.

an infantry regiment of about 700 men under the command of Colonel S. J. Crawford. Colonel Crawford had thrown to his front an extended line of skirmishers and it soon brushed with elements of Watie's security net. Receiving reports of contacts with Confederate personnel, Crawford ordered a harder push along the front in order to ascertain their numbers. The colored skirmish line attacked the task with vigor and peppered the encountered Confederate patrols with musket balls.

The Kansas Second Colored Volunteers Infantry Regiment easily pushed the Confederate scouts aside, and when they came within sight of the Iron Bridge, Crawford ordered a halt. Colonel Crawford put his troops into a battle formation of double lines of infantry with the artillery and cavalry in support, positioned to the rear of the massed infantry. So aligned, the colored troops moved forward keeping precision combat alignment. When well within musket range, the Confederates opened a heavy fire in an effort to break the black Union line. Crawford ordered the fire returned and sent for the Federal artillery section, stationed in the Union rear. The center of the Union line broke open momentarily as the artillery caissons raced forward to their position in front of the Union formation. After a few well placed rounds of solid shot and canister, the Confederate cavalrymen broke ranks and fled to the rear for their horses. The exhausted condition of the Kansas Second Colored Volunteers Infantry Regiment prevented any prolonged pursuit of the retreating Southern raiders. Colonel Crawford ceased the forward movement of his troops, put them into column formation and moved them to the Arkansas River where he allowed them to rest. Infantry cannot effectively follow cavalry; thus, there was no need to exert his tired men unnecessarily. That same evening, after their much needed rest, the colored troops moved back to the Federal post at Fort Smith, elated over their victory.[31]

In September, 1864, the Southern high command launched the largest raid-invasion into Federally held Indian Territory since July, 1863. Vied against this Confederate thrust was the Kansas First Colored Volunteers Infantry Regiment. On September 16, the Confederate columns filed out onto the Texas Road at Sand Town Ford and began their trek northward. In command of this raiding force were two of the most distinguished officers in the Confederate army stationed in the trans-Mississippi West, Brigadier General Watie and Brigadier General Richard Gano from the Texas Confederate sub-district and commanding officer, by date of rank, of the combined units being used on the raid.

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31 Watie to Cooper, June 27, 1864, Watie to Cooper, June 17, 1864, *Official Records*, i, XXXIV, Pt. 1, pp. 1013, 1012; Hathaway, "Brigadier General Stand Watie, Confederate Guerrilla," p. 74; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 94-95.

The force was made up of an 800 man brigade commanded by Watie and 1,200 men, cavalry and infantry, from various Texas units under Brigadier General Gano; 2,000 men totaled the count. Marching in single column formation on the Texas Road, the Confederate force stretched out for over two miles. Proceeding northeast, the raiders made their way to their first objective: the haying station reported to be on the prairie located near Flat Rock. A patrol of scouts had been sent ahead, and it was soon confirmed that a party of Federals lay to the Confederate immediate right front. Gano and Watie proceeded to the top of a nearby ridge for a better vantage point. Using spy glasses, they watched the Federals making hay.[32]

The Union haying operation at Flat Rock was commanded by Captain Edgar A. Barker. Captain Barker had only two reinforced companies of his regiment with him at the haying station, the Second Kansas Cavalry Regiment and four companies of the Kansas First Colored Volunteers Infantry Regiment, a total force of only 125 men. Barker's Union colored scouts returned to camp and reported that a large force of Confederates had crossed the Verdigris River and was advancing on his camp from the southwest. The first intelligence reports from the colored scouts set the Confederate party as numbering approximately 200 men. With his command only slightly smaller, Captain Barker elected to fight the advancing enemy force. When recall was sounded by the bugler, the black soldiers out on the prairie hurried to camp to erect a defense.

With his men assembled together, Barker formed them in a half circle formation in a ravine to the rear of his camp. Taking a small mounted detachment of men, the Federal captain moved forward to reconnoiter the exact number and designs of the Confederates advancing on his front. Captain Barker and his Negro escort detachment met Gano's command two miles southwest of his camp. Here he correctly estimated the Confederate host at being near 2,000, vastly outnumbering the previously reported 200. The flat prairie also disclosed the six pieces of

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32 Organization of the Army of the Trans-Mississippi Department, Kirby-Smith, C. S. Army, commanding, September 30, 1864, Gano to Cooper, September 29, 1864, Watie to Heiston, October 3, 1864, Johnson to Hoyt, September 25, 1864, Maxey to Boggs, October 7, 1864, Maxey to Boggs, September 16, 1864, *Official Records*, i, XLI, pt. 1, pp. 967, 788-789, 785, 775-776, 780, 777; Hathaway, "Brigadier General Stand Watie, Confederate Guerrilla," p. 77-78. Flat Rock is located on the prairie near the mouth of Flat Rock Creek on the west side of Grand River about five miles northeast of present-day Wagoner, in Wagoner County; Muriel H. Wright and LeRoy H. Fischer, "Civil War Sites in Oklahoma," *Chronicles of Oklahoma*, XLIV (Summer, 1966), p. 212; Britton, *The Union Indian Brigade in the Civil War*, pp. 437-440, 428-429, 434-435; Norman P. Morrow, "Prices' Missouri Expedition, 1864" (Unpublished Master of Arts Thesis, University of Texas, Austin, Texas, 1949), pp. 138-158.

field artillery the Confederates had with them. Barker made his intended reconnaissance on the enemy flanks and immediately fell back when approached by a Confederate advance party. He skirmished with this advance patrol all the way back to the Federal haying camp. Arriving at the ravine, to the rear of the Union camp, Barker dismounted the patrol detachment and prepared to meet the Confederate attack.[33] For the Negro troops with Captain Barker, it would be a fight to the death, and the Negro soldiers intended to make the Confederates pay dearly for their lives. A well known fact to the Federals, white and black, was that the Confederate forces did not take prisoners.[34]

General Gano could see from his vantage point that the Confederate party sent to cut off the escape of the Federal haying detail were in position. Captain S. M. Stayhorn of the Thirtieth Texas Regiment, sent with the advance element to aid in cutting off the Union party was beginning to advance his skirmishers; the engagement at Flat Rock Ford had begun. Watie and his entire brigade, minus the First Cherokee Regiment, which was with Lieutenant Colonel C. N. Vann at the rear of the Union camp, advanced to the left of the field. Gano dispatched Lieutenant Colonel William G. Welch with a cavalry column to the right. It was composed of Colonel DeMorse and the Twenty-Ninth Texas Cavalry Regiment and Lieutenant Colonel Peter Hardeman of the Thirty-First Texas Cavalry Regiment. Welch advanced to a position about 200 yards to the right of Gano and halted. Gano and the remainder of the Confederate cavalry force, including the artillery, made up the center. Increasing musketry fire to the Federal rear indicated that Lieutenant Colonel Vann was advancing in force. Gano gave the order, and the V-shaped formation of the Southern units began to move in on the haying camp. The infantry accompanied by Gano, advanced to within 200 yards of Captain Barker and his beseiged Negroes and white soldiers and opened fire. Watie and Welch with their cavalry forces charged the flanks of the Fed-

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[33] Baker to Adjutant General, September 20, 1864, *Official Records*, i, XLI, Pt. 1, pp. 771-772; Britton, *The Union Brigade in the Civil War*, p. 438; Hathaway, "Brigadier General Stand Watie, Confederate Guerrilla," p. 78; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 118-119.

[34] For further information on the treatment of the Negro soldier by Confederate forces in Indian Territory and the trans-Mississippi Department, see Britton, *The Union Indian Brigade in the Civil War*, pp. 359-373, 435-439 and Dudley Taylor Cornish, *The Sable Arm: Negro Troops in the Union Army* (New York: Longman, Green and Co., 1956), pp. 145-147.

erally-held ravine repeatedly, but on each assault the Negro troops effectively repulsed them.[35]

The Negro troops under Captain Barker held their ground well for a half-hour, but the Federal position grew more untenable as the Confederates began gaining ground and moving in closer. With the Confederate Indian troops positioned as they were, the Federal haying party was assailed from five directions at once. Barker knew by the disproportioned odds it would be only a short time before his command would be overwhelmed and wiped out to the last man. With Negroes in the Federal party, the Confederate force around him would not be inclined to show much mercy to any person in the unit, white or black. Barker spotted a weak point on the Confederate left in Watie's section of the line and decided to mount all those of his party who had horses, break through if he could and attempt to save at least a portion of the doomed command. Mounting sixty-five men, he charged the Confederate left. Watie in command of that portion of the line ordered reinforcements in, and all but fifteen of the Federal cavalry were captured or killed. The colored soldiers and some white infantry left in the ravine rallied under Lieutenant Thomas B. Sutherland, a company commander of the Kansas First Colored Volunteers Infantry Regiment.

For two more hours the repeated Confederate charges were successfully repulsed. On their knees and bellies the black soldiers volleyed the Confederate advances into oblivion. When the ammunition supply became exhausted, Sutherland told his colored troops they would have to save themselves as best they could. Thirty-seven colored troops had been at the hay camp when the engagement started at noon and by that evening only four remained alive. These four colored soldiers had secreted themselves in the prairie grass or in the nearby pools of water which were runoff areas of the Grand River. When darkness came, these four survivors crawled between the Confederate sentries and mounted patrols and wormed their way to Fort Gibson to relate their story.

The Confederates moved about the camp looting and observing their captured prize. The hay—exceeding 3,000 tons—was burned in its ricks. Destroying all they could not use, the Confederate commands of Watie and Gano spent the night at

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[35] Watie to Cooper, September 23, 1864, Gano to Cooper, September 29, 1864, Watie to Heiston, October 3, 1864, Baker to Adjutant General, September 20, 1864, *Official Records*, i, XLI, Pt. 1, pp. 784, 788-789, 785, 771-772; Hathaway, "Brigadier General Stand Watie, Confederate Guerilla," p. 78; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 119-120; Britton, *The Union Indian Brigade in the Civil War*, p. 438.

Flat Rock. The next morning, September 17, 1864, the Southern cavalry and infantry units with the artillery sections stationed to the rear formed into column and began their trek anew in a northerly direction.[36]

The Federal forces stationed in Indian Territory knew that the large Confederate Force reported in the area was out to break the all-important supply line between Fort Scott, Kansas, and Fort Gibson. Should the Texas Road be effectively blocked for any length of time, Fort Gibson, without a doubt, would fall. Since the experiment with *J. R. Williams* had failed miserably, the only alternative was to keep the Texas Road functioning as a Federal supply line. On September 14, 1864, the entire command of Colonel Williams, the Kansas First Colored Volunteers Infantry Regiment, was sent to Fort Gibson to ensure that Confederate raiders making sorties through the Cherokee Nation would not break the vital supply artery.[37]

By September 14, Major Henry Hopkins, Second Kansas Cavalry Regiment, commander of the supply train then making its way to Fort Gibson, was putting forth every effort to prevent a surprise attack on his little command. On September 17, Major Hopkins was located approximately fifteen miles north of Cabin Creek. He had received an additional one hundred men from Baxter Springs to add to his 260, totaling 360 men, white and Indian. The Federal train, consisting of 300 wagons, 205 of which were government wagons, four ambulances, and ninety sutler wagons, was immense for a military supply convoy. Hopkins received word from Colonel Stephen Wattles, the new commander of Fort Gibson, that a hostile force of more than 1,500 Confederates was headed in his direction and accordingly ordered Hopkins to move his train with all possible dispatch to the safety of the Federal stockade at Cabin Creek.[38]

Major Hopkins acted immediately and began moving toward the Union fortification and safety. To increase the speed of the train, the wagons were put into double column formation. Traveling throughout the pre-dawn and early morning, the train covered the fifteen miles to the Cabin Creek stockade in six hours. The train arrived at Cabin Creek at 9:00 a.m. on the morning of

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[36] *Ibid.*, pp. 439-440; Maxey to Boggs, October 7, 1864, Cooper to Scott, September 14, 1864, Cooper to Scott, September 24, 1864, *Official Records*, i, XLI, Pt. 1, pp. 780, 781, 782.

[37] Thayer to Steele, September 8, 1864, Thayer to Wattles, September 14, 1864, Thayer to Wattles, September 18, 1864, *ibid.*, Pt. 3, pp. 105-106, 187-188, 238-239.

[38] Report of Hopkins, September 22, 1864, Gano to Cooper, September 28, 1864, Watie to Heiston, October 3, 1864, Jennison to Hampton, September 22, 1864, *ibid.*, Pt. 1, pp. 766-767, 789-790, 786, 772-773; Britton, *The Union Indian Brigade in the Civil War*, p. 441.

September 18, 1864. Reinforcements were waiting there and with these additional units, the entire escort numbered 150 cavalry and 460 men acting as infantry. Patrolling that same afternoon, the Confederate advance party was sighted in a gully three miles south of the stockade. Instead of waiting for a new day to dawn, the Gano and Watie commands began their attack shortly past midnight. Forming their battle line in the dark, the attack was started with great enthusiasm on the part of the Confederate Indians. General Gano held the Confederate center and right wing of the line, and General Watie fastened down the left section of the battle formation. Furious fire fighting ensued for the duration of the night and extended well into the next morning without a letup. By 9:00 a.m. September 19, the engagement at Cabin Creek was over.

The Federal forces had been, after a tenacious defense, pushed back out of the stockade and finally routed and scattered throughout the woods surrounding the fortification. The retrograde movement, started by the Federal commander, quickly evolved into a race for safety when the wagon teams, composed of both horses and mules, usually six to eight animals per team, began to go berserk and charge aimlessly around as a result of the din created by the fighting and discharging of muskets. When the musketry had died down to scattered shots and volleys, the booty left on the field and in the possession of the Confederate forces was enormous. The Confederates had salvaged 130 Federal supply wagons and herded together 740 Union mules and horses suitable for service. Although over one hundred wagons had been burned, the remaining wagons and their cargos were valued exceeding $1,500,000. The casualties had been unusually slight for the number of engaged men and the viciousness of the fighting between the rival units. The Confederate loss was no more than forty-five men, killed, wounded, and displaced. The total Federal casualties was not in excess of fifty-four men.[39]

By 10:00 a.m. General Gano had all of the captured wagons in line, his men positioned in columns on either side of the wagons and was ready to return to Confederate Indian Territory below the Arkansas River. After moving for an hour, scouts re-

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[39] Marvin J. Hancock, "The Second Battle of Cabin Creek, 1864," *Chronicles of Oklahoma*, XXXIX (Winter, 1961-62), pp. 415-418, 420; Report of Hopkins, September 22, 1864, Watie to Heiston, October 3, 1864, Gano to Cooper, September 29, 1864, Jennison to Hampton, September 22, 1864, Watie to Cooper, September 23, 1864, Return of casualties in Gano's brigade, September 19, 1864, Hopkins to Thomas, September 25, 1864, Sykes to Charlot, September 25, 1864, Oliver to Bell, September 25, 1864, Hildebrand to Cooper, September 26, 1864, Maxey to Boggs October 8, 1864, *Official Records*, i, XLI, Pt. 1, pp. 767, 786, 789, 778, 784, 792, 770-771, 764-765, 778, 779, 780; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 129-136; Hathaway, "Brigadier General Stand Watie, Confederate Guerrilla," pp. 78-81.

turned to the Confederate column and reported that a Federal force, a large one, was in front of the Confederate raiders and was at that moment pressing the Confederate advance party. Gano reacted immediately. He ordered his entire command forward, except the security party left with the wagons and remuda. Placing his men in double ranks, Gano massed onto the prairie in such a position that he intercepted the path of the pursuing Federals. Gano, by his show of force and aggressiveness, held the Union relief brigade at a respectable distance.[40]

The advancing Union brigade was commanded by Colonel Williams and his Kansas First Colored Volunteers Infantry Regiment, recently changed to the Seventy-Ninth U. S. Colored Troops (new). Williams had crossed Pryor's Creek and his point element had brushed with Confederate General Gano's advance party; the Confederates quickly fell back to warn the recently captured Union supply train. Colonel Williams ordered his command in battle formation of double ranks, with his artillery moved to the rear and flanks. The discipline of the colored regiment and skill in moving from the column formation to the battle line was a sight to behold. Functioning as a well-oiled cog the colored infantry companies smoothly took their respective slots on the combat line. With their Federal colors and standards flashing and flopping in the wind, the line began to advance. Skirmishers moved out ahead of the first line to test the enemy defenses as the main body marched at a slightly slower pace. When in range of the Confederate musketry, the quarter-mile-long blue line was halted and given parade rest. Because of the exhausted condition of his men and a total lack of cavalry, Colonel Williams elected to permit the enemy to approach him. Putting his colored troops at rest, Williams reinforced his skirmishers to the front, moved skirmish elements to secure the flanks and rested his men for the Confederate attack.

The Confederate and Union skirmishing continued until 4:30 p.m. that afternoon when the noise of increased firing and activity from the Southern line told the colored veterans an attack was in the making. Ordering his rear sections of artillery forward, Williams directed them, as well as the artillery sections posted on the flanks, to open fire with shot, shell and canister

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40 Williams to Blair, September 20, 1864, Gano to Cooper, September 29, 1864, Hildebrand to Cooper, September 26, 1864, Maxey to Boggs, September 30, 1864, Cooper to Scott, September 24, 1864, Cooper to Scott, September 27, 1864, Cooper to Scott, October 1, 1864, Watie to Cooper, September 23, 1864, Watie to Heiston, October 3, 1864, *Official Records*, i, XLI, Pt. 1, pp. 765, 790-791, 779, 782, 783, 778, 784, 787-788; Hancock, "Second Battle of Cabin Creek, 1864," *Chronicles of Oklahoma*, XXXIX, pp. 421-423; Hathaway, "Brigadier General Stand Watie, Confederate Guerrilla," p. 80; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 137-138.

as the enemy infantry came within range. The combined fire of the Federal guns drove back the massed ranks of Confederate troops, showering them with huge clumps of prairie. The Confederates made no further efforts to advance and the skirmishing resumed as the Federal colored scouts began anew their probing of the Southern position, continuing actions until dusk. Colonel Williams bivouacked on the prairie in line of battle to prevent any surprise attack by the Southern units. The next morning, September 20, the Confederate units and all of the captured Federal wagons anad valuable supplies were gone, slipping across the Verdigris to the west. During the night the wily Gano and Watie had tricked Williams and his colored regiment. The exhausted condition of William's infantry prevented any pursuit of the retreating Confederates.[41]

The engagement at Cabin Creek was the last serious employment of the Negro as a fighting man within the confines of Indian Territory. The Kansas First Colored Volunteers Infantry Regiment did not stop serving the trans-Mississippi district as a capable fighting unit, nor did the black enlisted man stop functioning as a Federal combat soldier. Immediately after the Cabin Creek action of September 18, 1864, most of the colored units were transferred out of Indian Territory to adjacent states. The Kansas First Colored Volunteers Infantry Regiment was transferred into the Second Brigade, Frontier Division. Colonel Williams, commanding the brigade, remained in that position for a short time before being transferred again. Colonel Williams was rotated back to direct command of his colored regiment and then the entire unit was sent briefly to Little Rock, Arkansas, and later was sent to a permanent duty station at Fort Smith. The black regiment remained at Fort Smith engaged in heavy escort duty and fatigue calls until it was mustered out by the Federal government on October 30, 1865. It received its final muster pay and was discharged at Fort Leavenworth, Kansas.[42]

The sister regiment to the Kansas First Colored Volunteers Infantry Regiment, the Kansas Second Colored Volunteers Infantry Regiment, officially the Eighty-Third U. S. Colored Troops (new), served most of her remaining active military life as a fighting unit outside the borders of Indian Territory. During the early months of 1865, the Kansas Second Colored Volunteers Infantry Regiment did garrison duty in Little Rock, Arkansas. In August the regiment was moved to Camden, Arkansas where it was mustered out, October 9, 1865. Because of the

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41 Wilson, *The Black Phalanx: A History of the Negro Soldiers of the United States in the Wars of 1775-1812, 1861-1865*, p. 240.

42 Boyd, "The Use of Negro Troops by Kansas During the Civil War," pp. 47-48.

location of the Federal paymaster the unit was again moved, this time to Fort Leavenworth, Kansas, where it received its severance pay and discharge, October 27, 1865.[43]

An accurate and definitive evaluation of the Negro as a soldier in the Civil War is virtually impossible in a project of this size. But a few observations can be made without stepping out of the realm of pure objectivity. The reason for the difficulty in evaluation is because the Negro was not used uniformly by the Union army. Negro units were used in labor battalions, garrison duty, pioneer units, construction gangs and as combat soldiers. Usually the employment of these black soldiers depended on the desires of their commanding general. For the most part, the colored soldier was an integral part of the Union fighting team in the trans-Mississippi West, particularly the Kansas-Arkansas-Indian Territory area. The Kansas First Colored Volunteers Infantry Regiment was employed as a separate and independent fighting entity, and on occasion was fused with a larger component for combat missions, such as the Army of the Frontier, in 1863. In both instances this black regiment, and her sister regiment, the Kansas Second Colored Volunteers Infantry Regiment, served with valor and distinction, being specifically praised by their field commanders on several occasions.

While the Negro soldier was helping the Union suppress the rebellion of the Southern states they were also doing great benefit for themselves. It was while the black ex-slaves were in the blue uniform that they learned how to accept the reins of authority and how to properly serve in positions of responsibility and leadership within their regiments, usually as noncommissioned officers. Many Negroes had their first opportunity to learn to read and write while in the Federal armed services. It was not unusual for a white company commander to drill his black recruits in the manual of arms during the work day and drill these same men in their letters at night while off duty.

The fighting ability of the Negro soldier can be demonstrated in one respect by their long casualty list. The losses among black units were very high. It is reported from figures available that out of all the black troops enrolled in the ranks, over one third of these were reported killed in battle. This figure would be higher when applied to the trans-Mississippi West because all the black soldiers in that department were used as combat troops, while most of the colored units east of the Mississippi River were utilized proportionally less as fighting commands. The desertion in the Negro units was also much less than in the white companies. Taken as a whole, the colored units had a

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[43] *Ibid.*, p. 48.

seven per cent desertion rate while the overall white desertion figure was nineteen per cent.[44]

One of the most important results of the using of the Negro fighting man was in changing the white man's attitude toward the black man. Doubtless if the Negro had sat on the sidelines of the Civil War the Fourteenth and Fifteenth Amendments would have been a very long time in coming. As it was, the Negro did not sit idly by, letting someone else fight his battles for him. He formed drill units on his own, flocked to the recruiting stations to enlist, and hung on the fringes of the Union armies helping the war effort in every way possible; menial or otherwise. After the Civil War the citizens of the trans-Mississippi West no longer considered the Negro an animate piece of chattel property, but began to think and trust the black Union veteran as a man. The Civil War for the Negro was the stepping stone from slave to citizen, in less than five years. For a decade or two he would be granted wide political, economic, and social opportunities and responsibilities. Though political motives would remove the privileges that attend citizenship, no selfish move could remove the pride the Negro had gained in himself and his race for his part in the Civil War.

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[44] Dudley Taylor Cornish, "Negro Troops in the Union Army, 1861-1865," (Unpublished Doctoral Dissertation, University of Colorado, Boulder, Colorado, 1949), p. 423.

THE STRUGGLE FOR AN EAST-WEST RAILWAY INTO THE INDIAN TERRITORY, 1870-1882

*By Craig Miner**

The first days of September 1870 were not joyous ones for the railroad surveying party led by F. S. Hodges and camped along the Arkansas River near the Creek Indian village of Tulsey Town. The thirteen men composing the party had two four-mule teams and one saddle animal which had carried their transits, levels, testing equipment and sometimes a tired surveyor west for over a month from Seneca, Missouri through an always hot and sometimes hostile Indian Territory. At Seneca was the proposed Missouri railhead of the Atlantic and Pacific Railroad Company building southwest from a junction with the Pacific Railroad of Missouri at Franklin (now Pacific) Missouri. For that reason, despite the malaria which affected most of the group, Hodges was determined to complete his survey to the Colorado River.[1]

Some of the more hardy had ventured from their tents and were employed at running hydrographic tests and making soundings for a future railroad bridge over the Arkansas when a messenger rode into the camp with the following:

Neosho Indian Agency
Indian Territory
August 30, 1870

F. S. Hodges, Es
Chief of Railroad Surveying Party
Sir,

Acting under instructions contained in the enclosed copies of letters from the Commissioner of Indian Affairs, and the Superintendent of Indian Affairs it becomes my duty to demand the immediate withdrawal of yourself and Railroad Surveying Party, on pain of being promptly dealt with in accordance with the law.

Yours Respectfully
Your Obt. Servant
Geo. Mitchell, Special Indian Agent

Hodges started immediately on the long journey back to Boston to adjudicate the annoyance with the help of the railroad's officers.[2]

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*Craig Miner has contributed this paper on the East-West Railway in Indian Territory (1870-82) prepared in connection with his dissertation for a Ph.D. in history at the University of Colorado, Boulder, Colorado.—Ed.

1 F. S. Hodges, "Report of Surveys for the Atlantic & Pacific R.R. Co., Missouri to Arizona, 1870 & 1871," MSS. in Library of the Oklahoma Historical Society, Oklahoma City. Five persons later died from overexposure.

2 *Ibid.*

Such protests on the part of Indians and Indian Agents had not been uncommon, and this one hardly slowed the stockpiling of materials along the Grand River at the junction of the Spring and Neosho rivers where the Atlantic and Pacific Central Division was slated to commence. The Cherokees had provided by treaty in 1866 that two railroads might cross their Reserve, one North and South (the Missouri Kansas & Texas) and one East and West; other tribes had similar arrangements. Though the treaty had allowed right of way *only* and though the Cherokees had not been asked whether the A.&P. was acceptable as the East-West route through their lands, Congress had granted the company forty-nine and one-half million acres in public lands from Missouri to the Pacific, including a conditional grant of twice the usual amount in the Indian Territory. The Indian lands were not public domain, but the Congress had strongly suggested that the United States would take care of the matter of Indian title on behalf of the latest transcontinental company.[3]

This promise of Congressional support had become especially essential when, upon applying to the Cherokees for validation of the land grant plus a loan, the company offices had received a sharp refusal from Principal Chief Lewis Downing. Downing sent one copy of his letter to Francis B. Hayes, president of the line, one to the Secretary of the Interior and one to the Commissioner of Indian Affairs, in case there should be any confusion regarding the position of the Cherokee Nation.[4] The Creeks, into whose territory Hodges had passed when he was ejected, were if anything more antagonistic than the Cherokees.

In December 1870, and partly as a result of pressure applied by Hayes and Hodges, the Cherokees passed an act allowing the A.&P. the same privileges (right of way only) as it had allowed the M.K.&T. The Act provided further that the Secretary of the Interior authorize it as the East-West road; also that the company file a $500,000 bond with the Interior Department "conditioned upon the faithful observance of said Company of all the rights of the Cherokee Nation and people." The Act was, as it stated, not to be construed as authorizing more than one route (Hodges had surveyed several) nor did it prevent the Indians from cre-

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[3] 14 Statutes at Large 292. The only debate on this bill concerned the Indian question. James Lane of Kansas proposed on behalf of an Indian lobby that consent of the tribes be required. The Senate ignored this plea. The clause concerning the land grant, they argued, was standard in railway bills and need not be changed in this instance. The lobby of Cherokees and Chickasaws waiting in the Marble Room was sorely disappointed. *Congressional Globe*, 39th Cong. 1st Session, Part 2, 1100-1103.

[4] Lewis Downing to Francis B. Hayes, Nov. 29, 1869, Cherokee Volume 253, 158-9, Indian Archives Division, Oklahoma Historical Society (hereafter cited as IAD).

ating their own corporations to build and operate railroads in their nation.[5]

From this point forward the issue was drawn. It became a question of whether the Indian with his treaty guarantees and his particular way of life should be allowed to stand in the way of an expanding industrial America, its values and its aims. Beneath the technical questions was a moral one of vast proportions. So complicated did the issue become that, although one could argue that the outcome was never in doubt, it was to take twelve years to resolve.[6]

Early in 1871 rail was laid past Seneca and into the Indian Territory from the east. The Grand River was a flurry of activity. Six flat boats carried fish plates, rail, bolts and even work engines and trains to the grading and laying crews on the other side (west bank) until a bridge could be completed. Quarries were opened at the bridge site for ballast, and the sparse timber was swiftly cut for telegraph poles and ties.[7]

The crews at first erected tent cities along the right of way where boomers often got off their wagons on the way to settle on Indian lands and earned a few days wages. Then, almost springing out of the ground, came railhead towns, and these in turn provided a refueling place (for illegal whiskey) for the meanest element of frontier society.[8] The station at Prairie City was organized first and provided with large stock yards to catch the traffic from the Texas Trail. By October 10,000 head of cattle a month were shipped and seven trains were loaded one brisk day.[9] Then came Vinita, laid out in September and named after the young Washington sculptress Vinnie Ream. Lots, sold officially only to Cherokee citizens, went for up to $800 apiece though after the original sale they fell to one fourth this amount.[10] There the M.K.&T. and the A.&P. rails crossed. So, like it or not, Vinita provided the Indian Territory with its first "G.R.C.," as they were called in that day—"Great Railroad Center."

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5 "An Act in Regard to the East and West Railway Company, that may be Authorized to Construct the East and West Railroad through the Cherokee Nation," Dec. 15, 1870, Cherokee Vol. 258, 71, IAD.

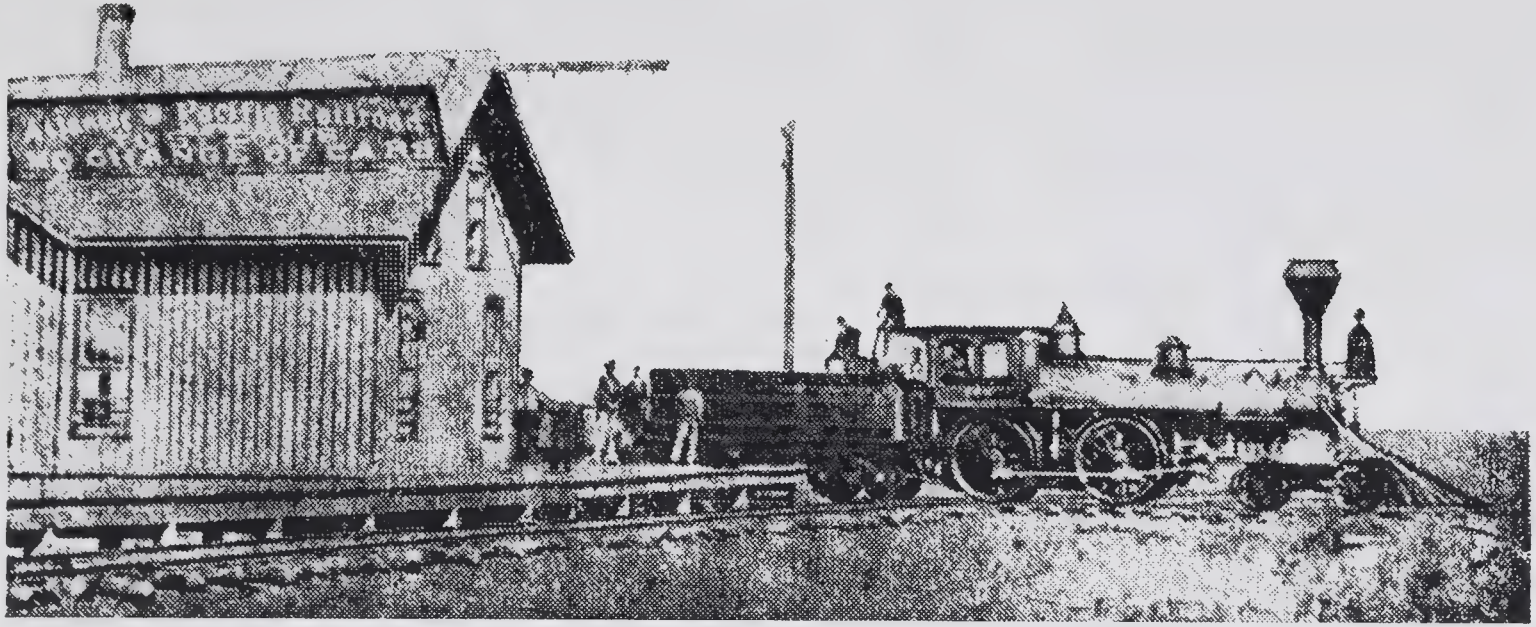
6 A similar situation existed on the North-South route where the MK&T also had a conditional land grant. For a brief account of that, see V. V. Masterson, *The Katy Railroad and the Last Frontier* (Norman: University of Oklahoma Press, 1952), *passim.*

7 Lawrence Kellit, engineer, to C. J. Hillyer, A&P attorney, Nov. 22, 1871, Quapaw Railroad File, IAD.

8 Morris L. Wardell, *A Political History of the Cherokee Nation, 1838-1907* (Norman: University of Oklahoma Press, 1938), p. 259.

9 Angie Debo in *Oklahoma City Times,* April 1, 1954, p. 7.

10 Wardell, *op. cit.,* p. 259.



(Standard History of Oklahoma, 1916—J. B. T.)

ATLANTIC & PACIFIC RAILWAY
STATION AT VINITA, INDIAN TERRITORY

To a large number of the resident Indians this had all the markings of an invasion. All the assurance in the world of the benefits civilization could bring did not shake from them the picture of aggressive materialism which was unfolding before their eyes. Despite a topography consisting "of stony ridges and valleys covered with a scrubby oak called black-jack," the Cherokees were on the way toward establishing a viable agricultural economy. Large stock raisers who had been crippled by Civil War campaigns in their country were again building their herds. There were many substantial houses dotting the countryside of hewn timber with stone or brick chimneys, and plans were afoot for an orphan asylum, a seminary for higher education, an expanded agricultural society fair and an experimental fruit orchard. Cherokee law and institutions were admired by all who were familiar with them. And all this with no railroads and no outside initiative other than the dedicated work of the Indian Agents.[11]

Into this economy had now been injected the two railroads with their promise of prosperity and their tendency, typical of this period, to find as much of their profit in land speculation as in traffic. John Jones, the U.S. Agent wrote from Tahlequah:[12]

> By these two lines, the Cherokees have now railroad communication with the states North and East. If they were equal to the people of the states in civilization and enterprise, and held their lands in severalty or wished to sell them, these railroads would certainly be a great blessing, enhancing as they would the value of these lands; but in their present state of advancement, and desirous as they are of maintaining their nationality and of holding their lands, the great majority of the people regard these roads as the introducers of calamities rather than blessings.

The timber policy of the roads, Jones continued, while legal, had increased dislike of them. The advertising, often exagerated, made people more eager for possession of Indian lands and was bringing to each session of Congress bills for the establishment of a Territorial Government and the opening of the area to whites. This caused among the Indians a "deep feeling of insecurity," since they had been told by newspapers and by "windy orators, both white and Indian" that the United States would take their lands with or without their consent and that the railroad would hasten the process. "The Cherokees feel that they are a deeply injured people," concluded the Agent, "and that still more crushing injuries are about to be brought upon them by a power which they cannot resist."[13]

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11 John B. Jones to C. Delano, Sept. 1871 in Report of the Sec. of the Interior, 42 Cong. 2nd Sess. House Exec. Doc. 1, Part 5 (serial 1505), p. 980.

12 *Ibid.*, p. 982.

13 *Ibid.*

The "irresistible power" of course was the Congress, not the Atlantic and Pacific Railroad Company. The Company, denied its land in the Indian country and having a shaky capital structure based upon that land in part, was in 1871 desperately attempting to activate the larger power of the nation in its behalf. Nor could the corporation be blamed for this. Its hopes after all were only those Congress itself had raised.

The appeal to Congress by the railroad assumed the form of one of the most remarkable and important pamphlets in the history of American Indian relations, though it is one that has been long buried in archives and largely forgotten. Titled, *Atlantic and Pacific Railroad and the Indian Territory,* it was written for the company by its attorney C. J. Hillyer. In it is set forward a defense of the "Manifest Destiny" of white industrial civilization which was so representative of a large portion of "the climate of opinion" of the times, that it eventually became the essential position of the United States Congress.

The railway system Hillyer outlined was vast, from the Mississippi to the Pacific with branches to St. Louis and Memphis. The branch lines would join in the valley of the Canadian River to form a vast railway hub in the heart of Indian Territory. The surveys for this giant were complete and there were no engineering obstacles. The obstacle was *cost* and the answer was *land.* Yet in the way of this stood a small group of men who, while dressed in bowler hats and wearing fashionable watch fobs, seemed as much Indian in their design of life as their painted kindred on the Western Reservations.[14]

Hillyer sat at his desk in the office that the enterprise had given him and penned his argument to those others of his class who sat at similar desks in Washington. "A railroad is dependent for its success," he wrote, "upon the population and business activity which it either finds or creates . . . A railroad and a wilderness are incompatible things and cannot long co-exist. Either the wilderness will be subdued or the railroad will die of starvation."[15]

The Indians, he continued, were 45,000 people on 70,000 square miles of territory, holding their lands in common and pursuing subsistence agriculture, oblivious of the industrial and mineral possibilities of the area. These people whose "most prominent and universal characteristic is indolence" (i.e. not acting according to the Protestant Ethic), were monopolizing the land for the chase and the battle field: "They have insisted

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[14] C. J. Hillyer, *Atlantic and Pacific Railroad and the Indian Territory* (Washington: McGill & Witherow, 1871), 1-2.

[15] *Ibid.,* p. 5.

that their own habits, notions and sentiments in this regard shall be respected, regardless of its effects upon the wants and necessities of the human race . . . We might as well, for all business purposes build a road for three hundred miles through a tunnel . . . as through the fertile Indian Country in its present condition."[16]

The program proposed by the A.&P. asked two things of Congress, validation of its conditional land grant and the legislation necessary to open the country to settlement:[17]

> There is no such sacredness in a treaty stipulation, made years ago with an Indian tribe as to require or permit it to obstruct the national growth and progress of this nation . . . There is nothing peculiar about the 94th meridian which should make the law of American development operate differently upon the west of it than it has upon the east. To condemn this process is to pronounce false and fallacious the universally accepted American idea of what constitutes human progress and achievement.

Hillyer's plan, he claimed, would be financially beneficial to the Indian, and what more could he ask? "His real objections to it—that it offends his prejudices, wounds his vanity, and makes impossible his indolence—are not of a character Congress can longer entertain." Indian resistance to the law of Anglo-Saxon progress must be crushed "whether one Indian or five thousand be killed in the operation." After all the civilization of the Europeans was intrinsically superior to that of the savages. Wrongs suffered by him were the result "of his refusal to recognize this claim and to conform to it."[18] Tie, rail, the railroad town and the railroad man would be the vanguard of civilization for the poor red man who could learn only from example never by precept. He would some day see that it had all been for his own good.

The relation then of the Federal Government to the tribes should be that of a guardian to a ward, and the Indian must be dealt with accordingly as a childlike person who could not recognize his own interest and was besides "racially inferior." Hillyer was a businessman and as such spoke bluntly. Yet he at least had the virtue of honesty, which could not be said for the Congressmen who were concealing the same assumptions under a humanitarian rhetoric. He maintained that the Cherokees, Creeks, Seminoles, Choctaws and Chickasaws, remembering the price they had paid for the treaties negotiated when they were marched from their lands in the East, did not react favorably to the approach of either group.

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16 *Ibid.*, pp. 5, 37.

17 *Ibid.*, p. 26, 36.

18 *Ibid.*, pp. 42, 52, 39.

Against this sort of attack and given the spirit of the times, the Indian arguments seemed weak, though they seem quite striking to the modern reader. Therefore, the Indians supplemented their memorials with an attempt to strike the East-West road where it hurt: in the pocketbook. By obstructing the land grant they had unleashed the foreign bondholders who had been sold Central Division Land Grant Bonds.[19] They hoped that by demanding exorbitant compensation for providing the road with ties, telegraph poles, ballast rock and station sites for the line to Vinita, they could so further weaken the company's finances as to cause the whole project to be abandoned.

The engineers for the newest transcontinental, however, knew that they had a long way to go. In building to Vinita, crews working with Lawrence Kellitt cut 21,236 ties from the sparse Cherokee timber, and 722 telegraph poles. For the ties they offered five cents apiece, and for the poles a cent and a half.[20] That may have seemed fair to the company which could get ties cut, dressed and hauled to the roadbed for twenty five cents in Missouri.[21] But given the lack of conservation practices, it seemed to the Cherokees a small sum for the denuding of the countryside.

The exchange of claims and counter-claims which arrived for the inspection of Enoch Hoag, the Quaker Superintendent of Indian Affairs at Lawrence Kansas, would have been comical had not both sides been perfectly serious. One farmer, for example, valued his one and a quarter acres of corn at $400; the railroad was willing to give him $2.50[22] Obviously the claims of both sides were unreasonable, the railroad estimate in this case being probably more nearly reasonable. Hoag thought it best to pass the responsibility of arbitration to the field agent, in this case John Jones.[23]

The combined effect of the Indian troubles and the Panic of 1873 brought the pyramided financial structure of the Atlantic and Pacific company crashing down. The company in 1875 went into the hands of receivers to emerge in September 1876 as the Saint Louis & San Francisco Railway (Frisco Railway). Only

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19 Wardell, *Political History*, p. 296. Hearings were held to determine the extent to which the railroads involved had issued bonds predicated on the conditional Indian grants. Both had, extensively.

20 Lawrence Kellitt to C. J. Hillyer, Nov. 22, 1871, Quapaw Railroad File, IAD.

21 R. L. Van Sant to James Dun, Jan. 7, 1883, Van Sant Letter Book, MSS. Division, Missouri Historical Society, Columbia, Mo.

22 F. A. Walker to Enoch Hoag, Dec. 12, 1871, with accompanying papers, Quapaw Railroad File, IAD.

23 Enoch Hoag to Hiram W. Jones, Dec. 18, 1871 in *Ibid.*

the few miles between Seneca and Vinita were allowed to retain the old name—Atlantic and Pacific—in order to claim land grants of the former company.

While this reorganization was in process, two things occurred which were to present the Frisco with an even more complicated Indian relations than had been the undoing of its predecessor. These two events were the opening of negotiations for a new route to the south, and an especially determined push by Congress to bring the Indian country under a United States Territorial administration.

Thomas A. Scott in 1871 had been president of five railroads, vice-president of twelve, director of thirty three "and general consolidator of the balance."[24] For a time, he had been president of the A.&P. So it was natural that, in 1874, he should come upon the idea of solving the financial difficulties of the road by building it south from Vinita to connect with his own Texas & Pacific west of Ft. Worth, and thence in powerful combination to the Pacific. To facilitate the progress of his plan somewhat, Andrew Peirce, president of the A.&P., and Scott asked the Congress to bolster the combination's credit by guaranteeing its bonds. "The locomotive," said their memorial, "is the sole solution to the Indian question . . . The water stations and freight stations built on the lines immediately become the germs of towns."[25]

The Cherokee delegation in Washington immediately submitted a protest, reaffirming their fee simple title to the lands and taking strong exception to the new bill "by which the Atlantic & Pacific Railroad Company can direct the line of their road at pleasure through the Indian Territory." To add more fuel to the issue, the Cherokees also argued that the 1866 land grant to the A.&P. was void all the way to the coast because of the failure of the company to meet Congressional requirements as to speed of construction.[26]

More dangerous yet to the interest of the Indian nationals than the Texas & Pacific memorial were the numerous territorial bills. Four Indian delegations, the Cherokee, the Chickasaw, the Creek and the Osage caucused in January of 1875 to bombard

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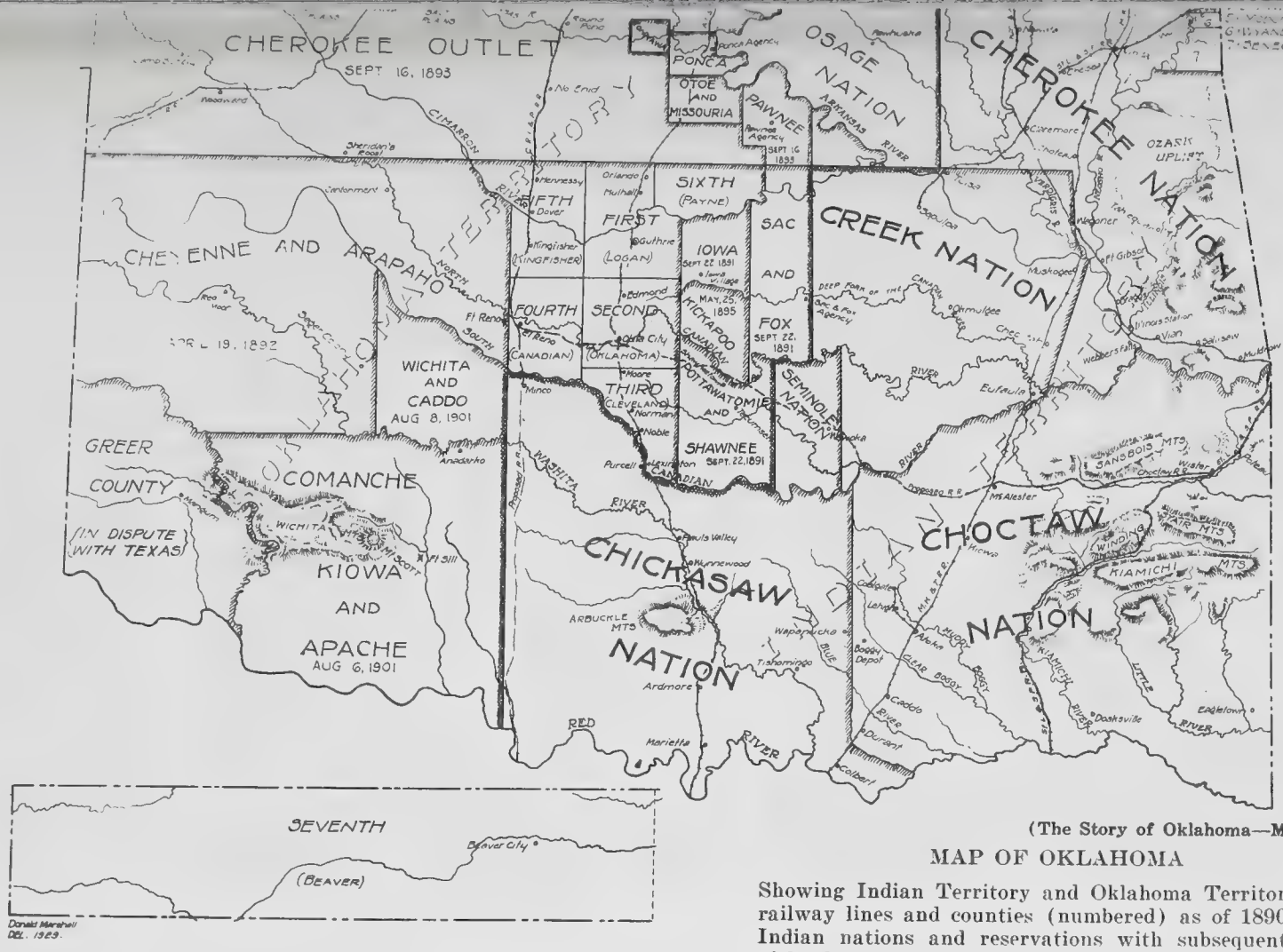
24 *Cheyenne Daily Leader* (Cheyenne, Wyo.), June 29, 1871.

25 A. Pierce [*sic.*] and Thomas A. Scott, "Memorial of the Texas & Pacific Railway Company and the Atlantic and Pacific Railroad Company," Dec. 8, 1874, Sen. Misc. Doc. No. 6, 43rd Cong. 2nd Sess. (Serial 1653), pp. 5, 3.

26 "Protest of Cherokee Delegation against the revival of certain land grants therein named & c." Dec. 29, 1876. Cherokee File Ixa—pp. 2, 5, IAD.



(The Story of Oklahoma—M.H.W.)

MAP OF OKLAHOMA

Showing Indian Territory and Oklahoma Territory with railway lines and counties (numbered) as of 1890; also, Indian nations and reservations with subsequent dates of land openings.

the Senate with their best arguments in opposition. "There are a few misled or deluded individuals," wrote the Chickasaw, ". . . subsidized and corrupted by the Atlantic and Pacific . . . , against which we have been compelled from year to year to fight for our property right in our lands and for our very national existence, who may or do desire such a government; but they form no considerable portion of the intelligence or otherwise of the people of the Territory."[27] The other delegations agreed.[28]

Most blunt were the Osage. To break the treaties negotiated and written by U.S. officers and signed by the Indians at bayonet point "would be a breach of good faith which, if committed by one individual toward another would cause the party offending to be ignored by all good society." The Indians had acculterated. They had adopted the white man's religions without its "isms" and its "nest hiding." "We worship God as a spirit, and expect to be as much responsible to Him for our actions on earth, in the World to come, as we believe the white man will be."[29]

One of the arguments advanced by those in favor of territorial organization was that crime in the Indian country would be controlled by the establishment of courts there. The Indians, however, claimed that it was the white man, his railroads, his liquor and his acquisitive mentality that was to blame for the increase in crime. "A great many of your deputy marshals when they come into our country, look more after the quality of lands than they do after criminals, and they go smelling around hunting whiskey, and, on finding the same, we are told that they spill it down their own throats, without ever asking a poor Indian to take a solitary drink."[30]

The Indians, it was plain, did not wish to have more "civilization" forced upon them, even "for their own good." Especially unprepared were the blanket Indian tribes (Comanche, Kiowa, Cheyenne, Arapaho) on the Western Reservations. The Osage lobbyists were of the opinion that "you had as well sing 'Old Hundred' to 'the man in the moon' as to read Blackstone, Kent, Chitty, Greenleaf, &c to them. . . ."[31]

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27 "Memorial of the Citizens of the Chickasaw Nation . . ." Jan. 15, 1875, Sen. Misc. Doc. No. 34, 42nd Cong. 2nd Sess. (Serial 1630), p. 1.

28 The protests are Nos. 66, 34, 71, 72, *Ibid.*

29 "Protest of the Osage Nation of Indians . . ." Sen. Misc. Doc. No. 72, 42nd Cong. 2nd Sess. (Serial 1630), pp. 1-2.

30 *Ibid.*, p. 2.

31 *Ibid.*

They are dressed in skins, and yet they have their bows and arrows, as the Britons, your ancestors, were situated when the great Roman war-chief Caesar, went over to Britain over eighteen hundred years ago. If it has taken the descendents of the Britons eighteen hundred years to arrive at their present state of civilization, can you expect a blanket Indian to arrive at the same attainment in a moment? Or is it reasonable to suppose that a territorial government would have such a magical effect?

To the Indian delegations, the real reason for the move toward territorial government was contained in the U.S. Statute books under "land grants." There the Congress would find "a key by which you may unlock the motives and consciences, and look therein, of those who are pleading humanity, in order to destroy us."[32]

As proof all the tribal memorials pointed to the case of Clinton B. Fisk, treasurer of the Atlantic and Pacific and at the same time chairman of the Board of Indian Commissioners, a body which had reported that territorial government was an "immediate necessity."[33] Fisk was somewhat of an embarrassment to the railroad company also. When the new St. Louis & San Francisco Company learned about his bookkeeping methods, he was not reelected to the Board of Directors.[34]

Yet this man looked on as "corrupt to the core," had accomplished in his personality the combination the United States government was seeking in order to salve its conscience concerning the Indian—humanitarian ideals and materialistic ends. Fisk was a Methodist Sunday School Superintendent most of his life, and gave so generously to worthy causes that there is no reason to doubt his sincerity.[35] As early as the Civil War, he had stood as one of the strongest advocates of "the bright sunshine of Christian civilization" rather than "the shadow of a night of barbarism."[36] At the same time he was juggling the books of his employers at great profit to himself.[37] He was the perfect unconscious hypocrite, and to those who knew him only slightly, as did the Quakers who appointed him to the Indian Board, he seemed a rare combination of piety and effectiveness.

This man raised the Indians to a fever pitch of vexation, so much so that they decided to quote his Scripture back at him. At the very end of the Osage Protest, under the heading *"The First Conditional Land Grant on Record,"* they quoted a passage

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32 *Ibid.*

33 "Chickasaw Memorial," p. 1.

34 *Railroad Gazette*, March 16, 1877.

35 *Weekly Peoples Tribune* (Jefferson City, Mo.), May 11, 1870.

36 C. B. Fisk to Rev. J. C. Berryman, Aug. 11, 1863. Woods-Holman Papers, MSS Division, Missouri Historical Society.

37 For one example see *St. Louis Times*, May 1, 1870.

which to them was an accurate description of their situation *vis a vis* the railroad, and at the same time represented their idea of a fitting conclusion:[38]

> Jesus said unto him, "It is written, thou shalt not tempt the Lord thy God."
>
> Again the devil taketh him up into an exceeding high mountain and showeth him all the kingdoms of the world and the glory of them; and saith unto him, "All these things will I give thee if thou wilt fall down and worship me."
>
> Then saith Jesus unto him: "Get thee hence, Satan, for it is written, thou shalt worship the Lord thy God, and Him only shalt thou serve."
>
> Then the devil leaveth him, and behold angels came and ministered unto him. (Matthew IV: 7-11).

The new Frisco railroad, however, was a much more efficient and powerful organization than the old A.&P. had been and was in no humor for abandoning the promise of the Indian Territory. But, happily, Vice President and General Manager Charles W. Rogers was the soul of tact in adjusting claims. A typical example went to the Indian Agent at Seneca after a horse had been struck by a train:[39]

> As prices on all kinds of stock are now very low (I have myself a horse of good stock, broken in for driving in *the City* for which I paid $90.00 only within a few months) I fail to understand on what ground a horse out in the Territory should be valued as high as $125.00. We are willing to do what is right, but object to paying any fancy values. We have offered Mr. Harris $50.00 in full settlement and can do no better unless fully and reliably informed of reasons and circumstances why it should be done.

All the while, James Baker, who as A.&P. attorney prepared many of the territorial bills, was probably, as President of the S.L.&S.F., supporting activities of "boomers" setting up colonies in the Indian lands. At least we know that Baker defended David Payne, the most famous of these agitators, at his trial in 1880.[40]

In 1877 a crucial decision came from the Federal Land Office Commissioner J. A. Williamson: the Frisco-A.&P. combination had no land grant in the Indian Territory "except as such grant might be acquired from the Indians by the company."[41] Thus ended the land grant controversy. This, combined with other factors, slowed construction on the A.&P. west of Vinita to a near standstill.

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38 "Osage Protest," p. 5.

39 C. W. Rogers to J. M. Haworth, June 2, 1879, Quapaw Railroad File, IAD.

40 Ira C. Clark, *Then Came the Railroads: The Century from Steam to Diesel in the Southwest* (Norman: University of Oklahoma Press, 1958), p. 171.

41 J. A. Williamson to Carl Schurz, Oct. 13, 1877. Sen. Rpt. No. 744 45th Cong. 3rd Sess. (Serial 1839), Appendix, 6-7.

But the Indians had little time for rejoicing. The Frisco as an alternative began planning to build south from Ft. Smith across a corner of the Choctaw Nation into Texas where it was hoped that the cattle trade would pay the cost of construction. In the course of the excitement over the new route, both sides hardened their positions, as evidenced by this exchange in March, 1878, between James Baker and William P. Adair, chairman of the Cherokee delegation to Congress:[42]

BAKER: It [the territorial bill proposed] proposes to give them more than they have got or ever had before — a better government.

ADAIR: Have you ever read the constitution and laws of the Cherokee Nation?

BAKER: I have read part, but not all, a long time ago.

ADAIR: Do you know how long the Cherokees have had a written form of government?

BAKER: I believe over thirty years or more — you know.

ADAIR: Have you seen the code?

BAKER: Yes, I have seen the code of your laws.

ADAIR: Have you not read it?

BAKER: Not a great deal.

ADAIR: How do you happen to know they have no government if you have not read it and do not know anything about it?

BAKER: I do not believe I put it in that light—a good government in place of a bad one. I think, however, your government is a mockery, an absolute mockery.

Whatever progress had been made in resolving the claims' technicalities, it was evident that opinion in the two cultures was still far apart. Adair was baiting Baker viciously, and though the president tried to be polite, in the end he became Hillyer over again.

The S.L.&S.F. by 1880 had firmly decided on its course and was building the branch south from its main line through Arkansas. On the letterheads of its official stationery, on its tickets and way bills, appeared, in place of the familiar slogan "The Vinita Route," a new one: "Frisco Lines."[43] Therefore it made certain that this time it was allied with a greater power in its approach to the Indian tribes. When Frisco negotiators visited the Choctaw Nation in October 1881, they had with them Uri J. Baxter, a law clerk from the Department of the Interior.[44]

Baxter had no legal authority over the Choctaw government, yet he proceeded directly upon arriving to a talk with Principal Chief Jackson McCurtain whom he addressed as "Governor,"

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42 Testimony before the Committee on Territories, *Ibid.*, 5-6.

43 D. Wishart to Ticket Agents, Oct. 14, 1880, *Wichita City Eagle* (Wichita, Kansas), Oct. 28, 1880.

44 Sen. Exec. Doc. No. 15, 47th Cong. 1st Sess. (Serial 1986), 3-4.

as though the area were already a U.S. Territory. In a speech to the Choctaw Council, he left such an impression as to cause the members to ask whether it was the Frisco Railway or the United States that was requesting the right of way.[45]

The bill passed on November 10 and quickly became the subject of a great dispute. The Chickasaws claimed they should have been consulted while many Choctaws held that the bill had passed only due to outside pressure and "under a misapprehension of the real relation of the Government of the United States in the premises."[46]

The Choctaw argument was very interesting. It was reported that Baxter had represented to them in three public speeches that it was the Government which wanted the concession, that he had made motions in the Choctaw Council though under their constitution this right was limited to citizens, and that when objections were raised to his draft of the bill he had stated that "it was the best and only thing the United States would allow" and that "they would not consent to have it altered."[47] Some said that the printed version of the bill was different from that presented to them in manuscript, to which Baxter replied that "it was no use talking that way, that we must come to a vote, that he had not time to stay there."[48] After the bill had passed, Baxter signed it "in behalf of the United States, just as though this railroad belonged to the United States."[49]

In addition to this, there was a dispute over the voting in the Choctaw House of Representatives. Benjamin F. Smallwood had voted once as representative of Atoka county to create a tie and once as Speaker to break it. The bill was declared defeated until the sergeant at arms picked it up from the table and took it to Chief McCurtain for his estimate. The chief wired C. S. Vinson, the attorney general, who was at Atoka. Vinson got on a M.K.&T. train to Caddo, and then proceeded by buggy in a heavy rain to Armstrong Academy where he delivered his opinion

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[45] U. J. Baxter to S. J. Kirkwood, Oct. 30, Nov. 30, 1881, *Ibid*, pp. 6, 20.

[46] B. F. Overton to S. J. Kirkwood, Jan. 2, 1882; B. F. Smallwood, Isham Walker and Joseph P. Folsom to ?, Jan. 9, 1882, Sen. Exec. Doc. No. 44, 47th Cong. 1st Sess. (Serial 1987), pp. 2, 12.

[47] *San Francisco Chronicle*, Jan. 11, 1882, pp. 8-4. Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman: University of Oklahoma Press, 1934), 123. Testimony taken before the Senate Committee on Railroads about Jan. 1882, transcript is item #19743 in Choctaw Railroad File, IAD.

[48] Testimony before the Committee on Railroads, #19743, Choctaw Railroad File, IAD.

[49] *Ibid.*

the same afternoon. His opinion was that Smallwood had voted illegally. McCurtain therefore signed the bill and sent it to Washington for ratification.[50]

All concerned recognized that the Frisco Railway was much more popular among all Indians than had been the A.&P. and that the bill offered much more liberal financial concessions than the tribes were getting from the M.K.&T. Still for many the real danger was not so much what the road would itself do as the kind of culture it would introduce. In the Cheyenne and Arapaho country, not even directly affected by the railroad itself, things were especially touchy. These blanket Indians held a council of leading chiefs to prepare their defense against an "invading Caesar," and they did not have petitions to Congress in mind. John Miles, the Government Agent to the Cheyenne and Arapaho, was frightened. "I consider," he advised Washington, "that a conflict is imminent between the Indians on the one side and the cattle men and railroad men."[51] If surveyors were not immediately expelled and a decision handed down at the national level "the Indians of this Agency are going to 'kick' strong."[52] It was not many months before the A.&P. west of Vinita was faced by an Irishman, named Patrick Shannahan, with a Cherokee wife. Shannahan tore up the survey stakes and erected "a sort of fort . . . where he with others armed with guns declare they will kill the first man who goes to work there."[53] Shannahan was a crackpot; the Cheyenne and Arapaho were not.

Into a bleak Washington winter rode the various delegations in order to make a last stand for what they considered to be of greater importance than the material gain of railroad technology, their national sovereignty. From that point in January, 1882 on their stand was never fully understood nor Indian ideals fully appreciated by those whom they faced.

The Choctaw bill emerged briefly as Senate Bill No. 60, and was then recommitted to the Committee on Railroads for such a complete revision that the Choctaws did not recognize it. While the changes were for the most part beneficial to the tribe, the principle established by the procedure was not. The theory of self-determination, if it had ever been operative during the treaty period, was now officially laid to rest. Power, not possession be-

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50 B. F. Smallwood, Isham Walker, Joseph P. Folsom, Jan. 9, 1882, Sen. Exec. Doc. No. 44, 47th Cong. 1st Sess. (Serial 1987), pp 10-12.

51 John D. Miles to Hiram Price, Jan. 7, 1882, C&A Vol. 3, pp. 362-370, IAD.

52 John D. Miles to Gen. S. D. Wheeler, Jan. 10, 1882, C&A Vol. 3, 372, IAD.

53 G. W. Gleason and E. C. Boudinot to D. W. Bushyhead, April 17, 1882, #2663, Cherokee Railroad File, IAD.

came the test of legitimacy, at least as far as thorns in the side of an expanding nation were concerned. From this point on, no Indian legislative consent would be necessary for bills concerning their territory. Congress would pass a railroad charter and the Indians, like U.S. citizens, would be subject to eminent domain. Even the title of the bill was changed to avoid any mention of the Choctaw legislature. The problem, according to Senator Sam Maxey, a large landholder at Paris, Texas (the proposed terminus of the new line) was "whether there is a portion of the territory of the United States around which a Chinese Wall may be erected."[54] The answer was no.

The cause of Joseph Folsom, Ben Smallwood and Isham Walker was doomed before they appeared before the Committee on Railroads which was revising Senate No. 60. It quickly became apparent that the committee was going to discredit them by claiming that they were there in the pay of Jay Gould. Gould monopolized Texas traffic through his control of the M.K.&T. and St. Louis, Iron Mountain and Southern and was reportedly not enthusiastic about the new competition from the Frisco. The same questions were asked again and again in a manner now familiar to those facing Congressional committees—"Who paid your expenses? Don't you know that there are railroads who do not want competing lines that pay your expenses?"[55]

The Indians were outmanned. Isham Walker, clerk of the Choctaw Nation, pulled from his pocket his rough copy of their legislative journal in an attempt to show the original Indian vote, little realizing that one of the committeemen would later describe him as "a sleepy stupid-looking Indian . . . who put his hand in his pocket and took out two or three scraps of paper which he said were the minutes of the Choctaw legislature."[56] As to the charge of taking outside funds, the delegation only said that where there was a will there was a way and mentioned a "Mr. Fisher" as the source of their funds.[57]

Daniel O. Fisher, a member of both Choctaw and Chickasaw tribes, was in Washington at the time and very well could have been in the pay of Gould. At least he complained to his wife that Allen Wright, a former Choctaw chief himself employed by the Frisco, constantly accused him of this, which drove Fisher often to Mass to see his "God Father."[58] There is

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54 *Congressional Record*, 47th Cong. 1st Sess., XIII, part 1, p. 503.

55 Testimony before Committee on Railroads, #19743, Choctaw Railroad File, IAD.

56 *Congressional Record*, 47th Cong. 1st Sess., XIII, part 3, 2761.

57 Testimony before the Committee on Railroads, #1943, Choctaw Railroad File, IAD.

every indication that this was the "Mr. Fisher" to whom the Choctaws referred.

Yet whether or not Daniel Fisher was in the pay of Gould should not have been the issue before Congress, for he was primarily an Indian nationalist who no doubt was willing to use someone else's money to further his own end. The Congress, however, found in Gould's monopoly an emotional issue with which the real one could be hidden. Whoever spoke for the Indians could be and was conveniently accused of being in favor of Gould. That the issue was a fake is demonstrated by the fact that the appeal was only slightly modified when Gould bought control of the Frisco in late January, thus eliminating it as a potential competitor.

Of all this Fisher was well aware, and it caused him to doubt the political process. He wrote:[59]

> Our cause is a good one and our foundation good, if we fail, goodbye to our Government . . . if the Choctaws are too blind to their own interest and welfare, and will yield, or submit, if we are willing to be run over with brute force, and must submit, then I am done with politics . . . I think every citizen who has a spark of patriotism should raise his voice against tyranny.

Debate on the Senate floor resumed in April. Sam Maxey of Texas and George Vest of Missouri were the bill's primary defenders, while George Hoar of Massachusetts, Joseph Hawley of Connecticut, and John Ingalls of Kansas were vocal in opposition. The Indian Territory, said Maxey, was acting like a "wall of fire" cutting off Texas from the commerce of the Mississippi Valley. He strolled to the front of the Senate chamber where a large map was located and traced the new Frisco line in red. Indian treaties were one thing but national interest was a higher consideration.[60] "It is unnecessary to talk about their consent," said Augustus Garland of Arkansas, "It need never have been asked. They are pupils of the Government to be dealt with as the Government sees proper. We deal with them in every conceivable way, from the shirt they wear to the grave we dig for them, and frequently put them in."[61]

George Vest was more vehement in claiming that the Indians were simply ungrateful:[62]

> When we offer simply to give the right of transit, the right given to the meanest citizen of the United States from his lands to the highway

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58 D. O. Fisher to Mattie M. Fisher, Jan. 9, 1882, Fisher letterbook, IAD.

59 D. O. Fisher to Mattie M. Fisher, Jan. 19, 1882, *Ibid.*

60 *Congressional Record*, 47th Cong. 1st Sess., XIII, Part 3, p. 2523.

61 *Ibid.*, p. 2574.

62 *Ibid.*, p. 2803.

that leads him to market, we are met with the inexorable cry, "This is the sacred domain of the five civilized tribes and no white man shall enter it without our consent . . . the sovereignty is in us . . . your railroads shall stop and when you come on bended knees and beg . . . we answer, "You are a nation of robbers, and we will hurl you back from your princely domain as the surf of the ocean is thrown back from the granite rock."

Late in January, thinking that breaking the Gould monopoly was the reason for support of the bill, many of the Indians left upon hearing that Gould had control of the Frisco. They failed to realize that Gould was a whipping boy only. Senators used the departure as all the more evidence that the Indians were in the pay of the monopolist, and they made sport of those who had "folded their tents like the Arabs and as silently stole away" when "the Assyrian came down, like the wolf on the fold, and his cohorts were gleaming in purple and gold."[63] Hillyer's pamphlet was recommended during the debates, and there is evidence that many senators were already familiar with it.[64]

Against this barrage stood George Hoar who claimed that the whole Congressional attitude toward the problem of economic and political expansion into the Indian Territory resembled that of the boy who "when he wanted anything that was his father's property, he always asked him for it as politely as he could; and if his father did not give it to him he generally took it, for fear he should be led to do something wrong for the want of it." "We cannot," he pleaded, "build forts on soil ceded to England or France, so where is the right to build railroads through Indian lands?"[65]

It was John Ingalls of Kansas who struck most closely to the heart of the matter. The bill, he said, was ambiguous. It spouted humanitarian phraseology while concealing a sinister goal. The Senate resembled the "juggling fiends" described in Macbeth "that palter with us in a double sense/ that keep the word of promise to our ear,/ And break it to our hope."[66] Senate Bill No. 60, the product of these Congressional images of Clinton Fisk, resembled very much that strange piece of furniture in one of Goldsmith's poems which was "a bed by night, a chest of drawers by day."[67]

Hoar and Ingalls did not prevail. United States citizens, went the argument against them, could have their houses re-

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[63] *Ibid.*, p. 2575. For the Indian view see Ward Coachman and Pleasant Porter to Samuel Checote, Feb. 1, 1882, #35735, Creek Railroad File, IAD.

[64] *Ibid.*, p. 2569.

[65] *Ibid.*, p. 2575.

[66] *Ibid.*, p. 2765.

[67] *Ibid.*, p. 2767.

moved and even the sacred bones of their ancestors disturbed by a railroad corporation exercising the right of eminent domain, and the Indian should not be treated differently. The new road would bind the commerce of five western states together "with hooks of steel." It was to be a great artery of the nation "which should not be broken by Indian rights even if Indian rights exist, when it is sought to assert these rights to prevent the march of civilization." Nothing therefore stood in the way of the bill except a "sickly morbid sentiment."[68]

In July, 1882, Henry Teller, the Secretary of the Interior, received a letter reporting that construction parties in the employ of the Frisco west of Vinita had "wantonly desecrated a Cherokee graveyard, plowing, scraping and throwing the remains with the earth into the road bed they were constructing."[69] Civilization had come to the Indian. Senate Bill No. 60 was the law of the land.

Brief Review: A Fundamental Value Struggle

Louis Hartz has stated that "law has flourished on the corpse of philosophy in America, for the settlement of the ultimate moral question is the end of speculation on it . . . It is only when you take your ethics for granted that all problems emerge as problems of technique." The basic ethical problem of a liberal society is "not the danger of the majority which has been its conscious fear, but the danger of unanimity which has slumbered unconsciously behind it: the 'tyranny of opinion' . . ."[70]

Indeed the lack of a fundamental value struggle in regard to the Indian question indicates a frightening moral unanimity on the part of white "liberal" America in the Nineteenth Century. Their intolerance was of a dangerous kind because in most cases they failed to recognize it, thinking in terms of technique and managing to convince themselves that they were acting "for the good" of the Indian tribes. C. J. Hillyer had hoped that his pamphlet, by expressing the "mainstream of opinion," would effectively close any speculation. The strange thing was that it nearly did. The vote on Senate Bill No. 60 in the Senate, where most of the debate took place, was thirty in favor and thirteen against; thirty two Senators did not bother to appear for the vote at all.[71]

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[68] *Ibid.*, p. 2762.

[69] Daniel H. Ross and R. M. Wolfe to H. M. Teller, July 5, 1882, folder IC-28 entitled "Washington Delegation," Cherokee File, IAD.

[70] Louis Hartz, *The Liberal Tradition in America: An Interpretation of American Political Thought Since the Revolution* (New York: Harcourt, Brace & World, 1965), p. 10.

[71] *Congressional Record*, 47th Cong. 1st Sess., XIII, part 3, 2857. The vote against Ingall's amendment which would have required Choctaw consent was thirty to fifteen, with thirty one absent.

It was a period when principle changed with circumstance. A look at this period of our history should give Americans a certain understanding—if not tolerance—for countries that justify aggression by holding that it is in their national interest. It has not. The argument of a modern analyst would be the same as that Congress used in 1882 when the Indian treaties were compared with those negotiated with England and France—"Well, that is different."

That there was a large element of racism in the climate of opinion of the 1870s is undeniable. People like Clinton Fisk, C. J. Hillyer and members of Congress were able to reconcile the principles of the Declaration of Independence with the exploitation of the Indian only by believing that natural law had made him inferior to the Anglo-Saxon and that he did not therefore deserve equal consideration. "The sleepy stupid-looking Indian" seemed a reasonable stereotype only because the moral and ethical unanimity of the American people prevented them from recognizing that "intelligence" was as much a cultural value as a physiological trait.

No claim was made, nor could have been made, that the chartering of new routes without Indian consent was legal. Instead it was argued that, as Alexander Hamilton had once put it, "it is easy to sacrifice the substantial interests of society by a strict adherence to ordinary rules."[72] An appeal was made to a higher extra legal law, which was in fact no more than the cultural bias of the establishment. Dissenters using the same argument seldom made much progress.

Within two years after the Frisco bill passed, a half dozen railroads were engaged in plans to cross the Indian lands, and more followed like a swelling tide.[73] In 1888 Clinton B. Fisk was the candidate of the Prohibition Party for President of the United States.[74]

By 1907 when Indian Territory became the state of Oklahoma, it was crisscrossed by 5,488 miles of track.[75] In that year, sometimes passengers on Frisco trains stopping at Snyder, Okla-

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72 A. Hamilton to John Jay, May 7, 1800, quoted in Noble E. Cunningham, *The Jeffersonian Republicans: The Formation of Party Organization, 1789-1801* (Chapel Hill: University of North Carolina Press, 1957), p. 185.

73 D. W. Bushyhead and others to Committee on Indian Affairs, May 29, 1884, #35752, Creek Railroad File, IAD.

74 *Encyclopedia of the History of St. Louis*, 4 vols. (New York: The Southern History Company, 1899), Vol. II, p. 788.

75 Interstate Commerce Commission, *Twentieth Annual Report on the Statistics of Railways in the United States, for the year ending June 30 1907* (Washington: Government Printing Office, 1909), p. 27.

homa, amused themselves by walking across the street from the depot to play poker with an impassive old Indian whom the proprietor of the town saloon allowed to deal there in order to earn a few dollars. He would sit ramrod straight in his chair, his braids hanging down on both sides of his chest and a blanket draped over the back of the chair, communicating only by grunts and a shifting of the revolver on his hip. This Indian was Quanah Parker, last war chief of the Comanches.[76] No angels were seen ministering unto him.

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[76] R. M. Lowe to the author, July 24, 1968. Mr. Lowe got his information from Baldwin Parker, one of the chiefs' sons and from a group of very elderly Snyder poker players.

NOTES AND DOCUMENTS

Index to The Chronicles, 1968

The Annual Index to *The Chronicles,* Vol. XLVI, 1968 compiled by Mrs. Rella Looney, Archivist, is distributed free to those who receive the quarterly magazine. Orders for the Annual Index should be addressed to the Administrative Secretary, Oklahoma Historical Society, Historical Building, Oklahoma City, Oklahoma, 73105.

Hunting Wild Game in Indian Territory 1880

An old hunter, Thomas Fox Young of the Cherokee Nation, gives an account of hunting wild game in the Indian Territory, excerpts of which follow here (see Vol. 94, "Indian and Pioneer History," Grant Foreman Collection, Indian Archives Division, Oklahoma Historical Society)—exact copy, footnotes by editor:

Thomas Fox Young Tells of Hunting Wild Game

I was born at Fort Gibson, Cherokee Nation, February 14, 1870. My father was Daniel Young, full blood German, and my mother was Louisa M. Clark Young, Cherokee.

My father came from Germany to America alone when he was sixteen years of age, stopping at Tiffin, Ohio, where he later joined the Union Army, served during the Civil War and was wounded in the battle of Gettysburg. After the close of the Civil War he went to the state of Missouri, stopping at St. Joe where he later joined a pioneer settlers' expedition that was going to West Texas. The expedition consisted of a large wagon train; and leaving Missouri they came south over the old Texas Trail which was the only north and south road through this country at that time. When the wagon train arrived at the crossing of the Arkansas River near Fort Gibson they were delayed several days on account of flood waters on the Arkansas. In the winter of 1868 during the time they were in camp on the north bank of the Arkansas, my father became impressed with the country, quit the expedition and stopped at Fort Gibson.

In the following year, Father was married to my mother, and in 1870 I, the eldest of their nine children, was born in Fort Gibson. When I was about two years old, my father moved to a claim six miles north of Fort Gibson, he being an intermarried citizen [married to a Cherokee]. It was on this place that Father reared the family and spent the remainder of his days.

My boyhood days were spent in about the average routine of a boy's life in the Indian Territory. I attended the Cherokee

School at Fort Gibson, six miles from my home and the closest school. . . .[1]

From my early boyhood days my hobby has been hunting wild game, and if there ever were a hunter's paradise, it was in the Indian Territory in the early days, though I never realized the fact until later years of my life when hunting in other parts of the United States. There were all kinds of wild game in abundance such as deer, turkey, prairie chicken, quail, rabbit and squirrel. There were also fur animals such as beaver, otter, mink, raccoon, opossum, fox, wildcat, muskrat, timber-wolf and coyote.

My father was a professional hunter and dog trainer and one of the best marksmen that I have ever seen in my life, and I have seen a great many, for I have hunted with men from all parts of the world. Father was a gunsmith by trade, having learned the trade in the Fatherland before he came to America, and it came in well in his later life when he so much needed knowledge of this kind. He made the first breech-loading shotgun that was ever seen in this part of the country. He used an old muzzle loading gun to make his first breech-loader . . . .

Time did not count for much in those days as there was little to do but hunt. Although we lived in the country there was little farming done; only small patches of corn, eight or ten acres near the house were cultivated, just enough to feed our horses and make our meals and sofky; as to the other necessities of life, they were supplied from natural resources of the country, wild game, fish and fruit, such as wild strawberries, raspberries, dewberries, plums and grapes. As for cured meats, this country at that time was infested with wild hogs, and in the fall of the year we would go into the woods and kill enough wild hogs for our next summer's meat and lard, for they were plentiful and always fat from feeding on the mast of the forest . . . .

For several years I hunted wild game in this part of the Indian Territory as a profession and disposed of my kill to the best market. I hunted deer mostly by night with a headlight by shining their eyes; deer has a great sense of curiosity, therefore when they see a bright light at night and observe no object, they will stand and look at it instead of becoming frightened and running away at breakneck speed as they do in daytime when they get a glimpse of a man. I have killed as high as six deer in one night, hunting them in this manner. I would never

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[1] Young here tells of some of his boy friends in school who later did "their part making some of the Indian Territory's worst outlaw history."

use dogs in hunting deer at night, only when I hunted them for the sport of the kill in daytime. When I hunted in that manner I would take a pack of hounds to a desirable place and start them on a run, then select a position at a certain place where I knew the deer were most liable to pass, which is called a "stand." Very soon I would hear the bellow of the pack of hounds and it would not be but a short time until I would behold a sight that would thrill the heart of any hunter. A big buck and sometimes several deer dashing towards me in a mad race a short distance ahead of the hounds. A most thrilling moment, a sight that I have enjoyed many times and one that words cannot describe. As they approached I would select a big fine buck, take aim, and at the crack of the gun see him leap high into the air and fall to the ground, dead.

Well do I remember the first deer I ever killed. I was only about twelve years old, although I had been trying to kill one for a long time and had shot at several deer before, but without any success. This time we were on a camp hunt with several in the party including an ex-governor of Missouri, Brockmyer, who often came down to our place from St. Louis and hunted with Father for two or three weeks at a time.[2]

On this particular day Father put me on a stand and told me to wait there while he went and made a drive with the hounds. I took my place as my father had told me to do, and it was not long after I heard the hounds begin bellowing, until I saw a fine large buck deer bounding through the timber in my direction. I was standing about thirty steps from an old rail fence, and at this particular place there was a gap where the fence was more than half down, and it was at this low place in the fence that the deer was intending to cross. Though my nerves were at the highest pitch, I realized that at last the opportunity had come for me to achieve my greatest ambition. I watched him closely and just as he started to make his leap over the old fence, I let him have it. His leap was graceful but he tumbled to the ground, dead. And the instant I realized I had killed him I yelled at the top of my voice, "Lay there you big ----!!!", and at that instant, to my surprise, Governor Brockmyer stepped out from behind a nearby tree and asked me "what was that you said?"

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[2] Young's misspelling of the name given "Brockmyer" as an ex-governor of Missouri, and early day hunter in Indian Territory, identifies him as the Prussian and translator of Hegel's *Logic* who raised a Union regiment in Missouri during the Civil War, the subject of the interesting sketch "A Note in Oklahoma History: Henry C. Brokmeyer among the Creek Indians" by Dr. Donald A. Pickens in *The Chronicles of Oklahoma*, Vol. XLV (Spring, 1967).

I looked around rather embarrassed, then ran to where my prize kill fell. As I stood there looking at that beautiful large buck, I know I was the proudest boy in the Indian Territory. The old governor and I took the deer to the camp, and he reacted and described the whole affair, even the words of my loud exclamation, which afforded him many a good laugh, for many years afterwards when he would meet me in a crowd of friends, he would never fail to repeat the story, especially the words I used when the big buck fell.

For several years my father ran a regular hunting outfit and we hunted for the market. He would hire two or three hunters in the late summer months to do nothing but shoot prairie chickens, paying them three dollars a day and boarding them, also furnishing them with dogs and ammunition. Before I was old enough to handle a gun properly I drove the wagon and loaded shells for the hunters. I would drive around to each hunter, they being scattered around over the prairie, take up their chickens and give them more ammunition, water for them and their dogs and a drink of good whiskey, of which there was a jug in the wagon at all times, and which people thought in those days as being healthful when used as it should be, and we also carried it on account of snakes, as there were many in this country in those days and we lost several good dogs by being bit by rattlesnakes.

We bought powder by the keg, containing twenty-five pounds each, and shot in twenty-five pound sacks, and shell caps by the box and loaded our own shells which were of brass; that being before the paper shells were invented. We loaded our shells according to the kind of game we were going to hunt.

When the hunting outfit was in the field and any hired hunter failed to make an average of killing five dozen chickens a day he did not stay with the outfit very long. A hunter with a good dog could kill as many as six and seven dozen chickens a day. But that was in the long ago. . . .

—Thomas Fox Young

Recent Accessions to the Library

The following list giving titles of books accessioned and catalogued in the Library of the Oklahoma Historical Society from July 1, 1967 to July 1, 1968, continues the Accession List (Part I) published in *The Chronicles* for winter, 1968-1969, Volume XLVI, pp. 482 to 493.

PART II

Hatton's Heritage: A History of Hatton, North Dakota, 1884-1959. Hatton, N. D.: 1959. 120 pp.

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BOOK REVIEWS

Country Boy Horn Book. By Roy P. Stewart. (Oklahoma City, 1968. Pp. 160. $4.95).

As anyone in public life well knows, it is more difficult to make a good short speech than it is a good lengthy one; and so it is with writing, it is more difficult to write a short piece that is effective and poignant than it is to write at length on the same subject.

Thus, a collection of essays and sketches, each only a page or so in length, is something that requires the gift of virtuosity if the work is to be worth the effort.

Roy P. Stewart, although a native of Tennessee, has lived in Oklahoma since shortly after Oklahoma statehood. A recognized and distinguished columnist and editorial writer, his personal interests are many, ranging from the National Safety Council and the Governor's Task Force on Industrial Development to the Western History Association and the Indian Territory Posse of Westerners. His nickname "Country Boy" is so well known that it will be a legend among Oklahoma writers.

The book is a collection of a hundred or so of Country Boy's columns as they have appeared over the years, and although the phrase is far from new yet it is most apt in saying that the book is "the best of Roy P. Stewart."

The dedication page is typical of Roy Stewart. It is only a few worthwhile lines to the Dean of newspaper publishers, Edward K. Gaylord.

Personal Recollections. By Nelson A. Miles. Introduction by Robert M. Utley. (Yale University Press, reprinted 1969. Pp. 590. $27.50).

Nelson A. Miles was indeed one of the dominant figures of the post-Civil War military establishments. In 1861, he left his private business to raise a company of volunteers and was commissioned a lieutenant in the Massachusetts Militia. In a year, he had been promoted to the rank of colonel, and at the age of twenty-five was in command of the Second Army Corps. His Civil War service was distinguished; and by the close of the war he was a Major General of the volunteers. Deciding to stay in the service, he was commissioned a colonel in the regular establishment and the next twenty years found him actively campaigning in the West. Although his duties in Indian Territory were of short duration and of relative unimportance, he had a brilliant service, including the capture of Chief Joseph of the Nez Percé Indian tribe.

By 1895, Miles had risen to the command of the entire United States Army, and by the time of his retirement in 1903 he had served his country in all manner of varied responsibilities, including that of official army representative at Queen Victoria's Diamond Jubilee. He lived in retirement for more than twenty years, and died in Washington in 1925, in his 86th year.

Miles was a striking and engaging personality, combining all of the swashbuckling characteristics of Custer with the methodical and hard-driving abilities of Sheridan. His eventual rise to be the Commanding General of the entire United States Army testifies that he was able to combine his civilian background with his practical military experience in a way that earned the respect of the professional soldier entering the service via West Point as well as the civilian leaders of the Government.

Noting the careers of such military personages as Grant, Fremont and McClelland, Miles embraced aspirations for the Presidency. It has been often said that his *Personal Recollections*, published by him in 1896, was an effort to further such an endeavor. The book had great merit, notwithstanding the obvious inaccuracy of its title, for a great portion of the volume comprises a general history of the military, without regard to whether or not Miles himself was a personal participant. Copiously illustrated, the volume has been a treasury of pictorial representations of the then current events, especially as a number of Remington items were added here and there throughout the volume.

Long out of print, the book, with works of Sheridan, Sherman and Grant has been a standard reference work for the post-Civil War period. It has always been a source of personal regret that this writer has never been able to locate a copy for his own personal library.

The reprint is an excellent one, a reproduction of the original pages. It serves a useful purpose as source material for the Indian Wars of the two decades following the Civil War though as mentioned, there is little "personal" narrative on Indian Territory. Miles was in the area for only short periods, yet this does not detract from the worth of the volume as an important source in Oklahoma history.

—George H. Shirk

Oklahoma Historical Society
Oklahoma City

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OKLAHOMA HISTORICAL SOCIETY

January 23, 1969

President Shirk called the quarterly meeting of the Board of Directors of the Oklahoma Historical Society to order at 10:00 a.m., on Thursday, January 23, 1969. The meeting was held in the Board of Directors Room of the Oklahoma Historical Society.

Those members present were: Lou Allard, Mrs. George Bowman, Joe Curtis, Dr. E. E. Dale, W. D. Finney, Dr. LeRoy Fischer, Bob Foresman, Dr. A. M. Gibson, Joe W. McBride, W. E. McIntosh, R. G. Miller, Dr. James D. Morrison, Fisher Muldrow, H. Milt Phillips, Genevieve Seger, George H. Shirk and H. Merle Woods. Members absent were: Henry B. Bass, Q. B. Boydstun, Nolen J. Fuqua, Morton R. Harrison, Robert A. Hefner, John E. Kirkpatrick, R. M. Mountcastle and Earl Boyd Pierce.

Miss Seger made a motion that all those members absent be excused. Dr. Fischer seconded the motion, which passed.

Mr. Fraker showed colored slides of restoration work being done by the Society at the following historic sites: Chief's House, Jim Thorpe house at Yale, Fort Washita, Peter Conser house. Sequoyah's Home and Erin Springs Mansion.

Mr. Phillips made a motion that the Administrative Secretary write a letter of sympathy to Earl Boyd Pierce on the death of his brother. Fisher Muldrow seconded the motion, which passed.

Mr. Fraker reported that the Society had received one life membership and thirty-five new annual membership applications during the quarter. He also reported that numerous gifts had been made to the Society during the quarter. Mr. Foresman moved that all applicants be elected to membership, and that the gifts to the Society be accepted. Dr. Gibson seconded the motion, which passed.

It was announced by Mr. Fraker that Joe W. McBride, Dr. E. E. Dale, Henry B. Bass, R. M. Mountcastle and Nolen J. Fuqua had been reelected to the Board of Directors for the term of five years.

The possibility of joint membership between the Oklahoma Historical Society and local historical societies was discussed by Mr. Fraker. He said this would be one of the best means of promoting a larger membership in the State organization. It was emphasized by Mr. Fraker that memberships in the Society could be more attractive if the members were offered more. He suggested the possibility of a monthly bulletin that might be sent to all members telling them what the organization was doing.

Mr. Phillips called attention to the fact that Mr. Fraker had been given the high honor of being elected head of the State History Administrators in December 1968, and moved that the Board express its congratulations to Mr. Fraker for this honor bestowed upon him. Dr. Fischer seconded the motion, which passed. Mr. Fraker said he appreciated the motion congratulating him on having been made head of the Historical Society Administrators.

The Oklahoma Historical Society Tour for 1969 was outlined by Mr. Fraker, as visiting northwestern Oklahoma.

Report of the Treasurer was presented by Mrs. Bowman, showing a healthy financial condition.

Dr. Morrison reported on the Fort Washita Restoration Project and on the death of Mr. William Perry Loper who lived in the house at Fort Washita. He stated that a new ornamental iron and stone entrance to the Fort was being erected through the generosity of Mr. Ward Merrick of Ardmore.

Chairman of the Publication Committee, Mr. Joe McBride, said that the last issue of *The Chronicles* was a few days late and the next issue would also be late due to a change of personnel at the publishing company. He added that the Committee had met with Governor Overton James of the Chickasaws, and had agreed to a joint resolution to assist the Chickasaws with the publication of the Chickasaw Dictionary. He requested that the minutes of that joint meeting be placed in these minutes to show the stand the Publication Committee had taken in the matter.

Mr. Shirk reported on the Fort Towson project, stating that the death of Miss Dorothy Orton had delayed the project; that 1500 deeds at $1.00 each had been sold; that it is hoped to secure matching funds to get the restoration project under way.

A letter was read by President Shirk that had been received from a firm of attorneys in Oklahoma City with reference to the estate of Claude Hensley. These attorneys were asking that certain items that had once belonged to Mr. Hensley. and were now in the possession of the Society, be returned to his heirs. Mrs. Blaine had submitted evidence that indicated all items claimed by the Hensleys had been gifts to the Society. Mr. Curtis moved that President Shirk be authorized to advice the heirs the items could not be returned and that if legal action in this matter be instituted he refer the matter to the Attorney General to protect the interests of the Society. The motion was seconded by Mr. Phillips and carried when put to a vote.

Mr. Shirk referred to the Matching Fund program (PL 89-665) by the Federal Government for the acquisition and restoration of historic sites throughout Oklahoma on a five year program. He stated that the Governor had appointed a Committee consisting of Mr. Miller, Mr. Bass, Dr. Morrison, Dr. Cross, and an architect, Mr. Elliot of Oklahoma State University, to review the nominations for the National Register. He stated that he, as State Liaison officer, had applied for a matching grant for this year's work, through June 30, 1969, of $2,300.00. He suggested that the following matching amounts be requested for each of the next five years: $10,000.00, $40,000.00, $100,000.00, $225,000.00 and $400,000.00, and said if the Society is able to match those funds they can be secured.

A motion was made by Mr. McIntosh that the Board approve the proposed figures submitted by Mr. Shirk. Mr. Phillips seconded the motion. Mr. Allard said the Legislature is becoming increasingly aware of the historic sites and that he thought Mr. Shirk's figures were on the modest side, and should be upped, and made an amending motion that $400,000.00 should be requested for the last two years. The motion was passed as amended.

Mr. Shirk said he understood the Library Staff would like to build up a Film Library of 35mm slides. Mr. Allard suggested that a News Release be sent to all weekly newspapers, requesting gifts of 35mm slides. Mr. Fraker said Jack Wettengel, Supervisor of the Newspaper Department, would send such a news release to all of the papers.

The matter of the Indian Nations Memorial Survey was brought up by President Shirk. He stated that Mr. Earl Boyd Pierce had given the Society ten acres of land, and showed a plat of same which was prepared by Hudgins-Thompson-Ball & Associates, Architects. He said the Society is now able to sell one square yard of the land. An attractive form of Deed has been prepared, and with the deed, the grantee will receive a copy of the plat, a brochure on Oklahoma, and a special certificate from Chief W. E. McIntosh. He proposed that the Board approve a net sales price of:

$5 U.S. Dollars
2 pounds Sterling, English money
20 DM West German money

for each plot. He reported that Lord Montagu of Beaulieu had agreed to handle the sales in Europe, and that Lord Montagu had reported on the detailed preliminary arrangements he had made for sales overseas. Chief McIntosh had indicated a willingness to go to London in late Spring, accompanying an exhibit of Indian items. Mr. Phillips moved that the plans be approved and that the officers be authorized to execute the deeds as needed. The motion was seconded by Mr. Muldrow, and upon a vote, approved.

Mr. Shirk made a final report on the Battle of the Washita Centennial Commission, stating that the Commission did a splendid job, with even the weather cooperating by producing a snow storm. He said the total deficit was less than $400 and that the Executive Committee had authorized payment of this from Society funds. Miss Seger made a motion that the Commission be commended for such a successful two day celebration. Dr. Fischer seconded the motion, which passed.

The Fort Sill Centennial Commission Project was reported on by Mr. Finney. He said the celebration is planned for a full year, which began January 8, 1969, at Fort Sill with a large attendance at the opening program.

Mr. Woods called attention to the Fort Sill Centennial Edition of the Lawton Constitution, and made a motion that that newspaper be commended for this fine edition. Dr. Fischer seconded the motion which passed.

The Honey Springs Battle Field Project was discussed by Dr. Fischer, distributing three items: a plat of the Honey Springs Battle Field Park, an aerial map of the Honey Springs Battle Field Park, and the Honey Springs Battlefield National Park fact sheet prepared by Dr. Fischer. He stated the Honey Springs Commission is a part of the Oklahoma Historical Society and will report to the Society all its activities; that Mr. James Leake was appointed Chairman of the Commission and will call a meeting soon. It will be a workshop session, since there is so much information and material to study relative to developing the 160 acres for which the money has been appropriated by the Legislature.

Dr. Fischer introduced Dr. Theodore Agnew, his friend and colleague, who talked about the Will Rogers Papers Project at Oklahoma State University. He distributed brochures entitled, "The Will Rogers Papers." Dr. Agnew expressed gratitude to Mr. Shirk, Dr. Fischer, the press and the Oklahoma Historical Society for assistance given the project. He then read a paper describing the project, which it is hoped by 1979 will be published in ten to fifteen volumes.

Permission was asked of Dr. Agnew to publish the paper read by him, and Dr. Agnew agreed that it could be published in *The Chronicles of Oklahoma* after he had footnoted it.

Mr. Phillips stated that Bob and Paula Love, Curators of the Will Rogers Memorial should be commended for their fine work at the Will Rogers Memorial.

Attention was called to Wheelock Academy, in the old Choctaw Nation, which had been offered for sale recently. Mr. McIntosh said that the Society should explore the matter of the Wheelock Academy sale, stating if the Choctaw Nation owns the land and the U. S. Government owns the building, that it might be possible to secure Congressional enactment to give the building to the Society.

That work on the proposed Oklahoma Historical Society seal is progressing was stated by President Shirk.

When attention was called to the naming of the new Social Science Building at the University of Oklahoma as the Edward Everett Dale Building, Dr. Dale made a brief talk in which he expressed his appreciation for this high honor and invited all Board members to come to the dedicatory ceremonies of the new building at the University, which would be held sometime in the future.

A motion was made by Mr. Phillips that the Administrative Secretary write a letter of condolence to Mr. Morton Harrison on the death of his mother and brother. Motion seconded by Miss Seger, and passed.

Mr. McBride suggested that the quarterly financial statements include the financial statement for the previous year.

Appreciation was expressed by Mr. Fraker to Mrs. Looney for having taken the place of the regular secretary, Mrs. Jackson, in taking the minutes of the meeting. He also introduced Mrs. Betty Girouard who was acting as secretary during the absence of Mrs. Jackson.

It being determined there was no further business to come before the Board, the meeting was adjourned.

ELMER L. FRAKER
Administrative Secretary

GEORGE H. SHIRK
President

GIFTS RECEIVED IN FOURTH QUARTER, 1968

LIBRARY:
1,362 books and pamphlets of a law collection transferred to the Library of the Oklahoma Historical Society in honor of the late Governor William H. Murray.
Donor: Murray State Junior College, Tishomingo, Oklahoma, in behalf of the J. B. Moore Family.

INDIAN ARCHIVES DIVISION:
Report meeting Inter-tribal Council Five Civilized Tribes, Oct. 11, 1968.
Report meeting Executive Committee Cherokee Tribe, Oct. 26, 1968.
Donor: Muskogee Area Office.

2 copies Historical Map of Ottawa Co., Okla.
Donor: Mrs. V. D. Cooper, Miami, Oklahoma.

Cherokee Cookbook, compiled by Jack Baker.
"The Contributions of B. F. Fortner, LeRoy Long and Other Early Surgeons in Oklahoma" by R. Palmer Howard, M.D., and Richard E. Martin.
Donor: R. Palmer Howard, M.D.

Frontier Times, Nov. 1968.
True West, December 1968.
Donor: Eugene Brewington.

News Letter of Henry B. Bass, Oct. 15, 1968.
News Letter of Henry B. Bass, Nov. 15, 1968.
The Amerindian, September-October 1968.
Donor: N. B. Johnson.

Texas Libraries, Summer and Fall 1968.
Donor: Texas State Library.

Blackfeet and Gros Ventre, Assiniboine and Sioux Tribes v. U.S., Docket No. 279-A: Order allowing attorneys' fees.

Cayuga Nation v. U.S., Docket No. 343: Order Granting Defendant's Amended Motion for Partial Summary Judgment: Opinion of the Commission.

Caddo Tribe of Oklahoma, et al., v. U. S., Docket No. 226; Order Reconsidering and Denying Allowance of Offset; Opinion of Commission.

Minnesota Chippewa Tribe et al vs. U.S. Docket No. 18C: Findings of Fact; Order Granting Petitioners' Motion for Summary Judgment; Opinion of Commission.

Creek Nation East of the Mississippi v. U. S., Docket No. 281: Order Dismissing Petition with Prejudice.

Creek Nation v. U. S., Docket No. 274: Findings of Fact; Opinion of Commission; Final Order.

The Three Affiliated Tribes of Fort Berthold Reservation, et al., v. U. S., Docket No. 350A: Findings of Fact; Interlocutory Award to Petitioners; Opinion of the Commission.

Gila River Pima-Maricopa Indian Community, et al., v. U. S., Docket Nos. 236-K, L, and M: Opinion; Order Dismissing Petitions.

Hualapai Tribe of the Hualapai Reservation, Ariz., v. U. S., Docket Nos. 90 and 122: Order Allowing Attorneys' fees.

Miami Tribes, et al. of Oklahoma and Indiana vs. U. S., Docket No. 255 Consolidated with Docket No. 124-C: Findings of Fact on Compromise Settlement; Opinion of Commission; Final Judgment.

Miami Tribe of Oklahoma and Indiana v. U. S. Docket No. 256 Consolidated with Docket Nos. 124D, 124E and 124F: Findings of Fact on Compromise Settlement; Opinion of the Commission; Final Judgment.

Osage Nation v. U.S., Dockets 106-107 (Consolidated): Findings of Fact; Interlocutory Order; Opinion of the Commission.

Papago Tribe of Arizona v. U.S., Docket No. 345: Findings of Fact; Opinion of the Commission; Interlocutory Order.

Pascagoula, Biloxi and Mobilian Consolidated Band of Indians v. U. S., Docket No. 170: Order Dismissing Case.

Peoria Tribe of Oklahoma, et al., v. U.S., Docket No. 65: Opinion of Commission; Order Substituting Finding of Fact, Vacating Final Award of Aug. 4, 1965, and Final Award.

Pillager Bands of Chippewa Indians of Minnesota v. U.S., Docket No. 144: Findings of Fact; Order Granting Petitioners' Motion for Summary Judgment; Opinion of Commission.

Citizen Band of Potawatomi Indians of Okla. v. U.S., Docket No. 96; Additional Findings of Fact; Final Judgment; Opinion of Commission.

Seminole Indians of Florida v. U.S., Docket No. 73, 73-A, and Seminole Nation of Oklahoma v U.S., Docket No. 151: Interlocutory Order; Decision on Motion to Intervene.

Sisseton and Wahpeton Bands of Indians and Lower Sioux Community, et al. v. U.S., Docket No. 142 and Docket Nos. 359-363: Order Allowing Attorney's Reimbursable Expenses.

Upper Skagit Tribe of Indians v. U.S., Docket No. 92; Final Judgment. Snoqualmie Tribe and Skykomish Tribe v. U.S., Docket No. 93; Final Judgment.

Stillaguamish Tribe v. U. S., Docket No. 207: Opinion of Commission; Order Denying Petitioner's Motion for Rehearing.

Yakima Tribe of Indians v. U.S., Docket Nos. 47, 147, 160 and 164: Statement and Additional Findings of Fact on Compromise Settlement of Claims of Yakima Tribe of Washington State; Final Judgment.

Donor: Indian Claims Commission, Washington, D.C.

NEW LIFE MEMBERS*

October 24, 1968 to January 22, 1969

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NEW ANNUAL MEMBERS*

October 24, 1968 to January 22, 1969

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Agnew, Theodore, Jr.	Stillwater
Ambrose, E. R.	Arlington, Texas
Princess Astrid	Oslo, Norway
Brown, Mrs. A. E.	Woodward
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Coffey, Dorris O.	Ardmore
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Thomas, Frances C. U.	Oklahoma City
Twidwell, Carl	Oklahoma City
Wade, H. E.	Minco
Warren, Mrs. B. L.	Muskogee
Wehrenberg, Kenneth	Loyal

*All members in Oklahoma unless otherwise designated.

THE OKLAHOMA HISTORICAL SOCIETY

The Oklahoma Historical Society was organized by a group of Oklahoma Territory newspaper men interested in the history of Oklahoma who assembled in Kingfisher, May 27, 1893.

The major objective of the Society involves the promotion of interest and research in Oklahoma history, the collection and preservation of the State's historical records, pictures and relics. The Society also seeks the co-operation of all citizens of Oklahoma in gathering these materials.

The Chronicles of Oklahoma, published quarterly by the Society in spring, summer, autumn, and winter, is distributed free to its members. Each issue contains scholarly articles as well as those of popular interest, together with book reviews, historical notes and bibliographies. Such contributions will be considered for publication by the Editor and the Publications Committee.

Membership in the Oklahoma Historical Society is open to everyone interested. The quarterly is designed for college and university professors, for those engaged in research in Oklahoma and Indian history, for high school history teachers, for others interested in the State's history and for librarians. The annual dues are $5.00 and include a subscription to *The Chronicles of Oklahoma.* Life membership is $100.00. Regular subscription to *The Chronicles* is $6.00 annually; single copies of the magazine (1937 to current number), $1.50. All dues and correspondence relating thereto should be sent direct to the Administrative Secretary, Oklahoma Historical Society Building, Oklahoma City, Oklahoma.

GREAT SEAL OF THE STATE OF OKLAHOMA
1907

The CHRONICLES of OKLAHOMA

Summer, 1969

"OLD CENTRAL"
OKLAHOMA STATE UNIVERSITY, ERECTED 1894

Volume XLVII Number 2

Published Quarterly by the
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Organized by the Oklahoma Historical Society May 27, 1893

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MURIEL H. WRIGHT, *Editor*

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SUMMER, 1969

Volume XLVII — Number 2

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COVER: From photo of "Old Central" on the campus of Oklahoma State University, its oldest building erected of brick in 1894 as the first building of Oklahoma A. & M. College at Stillwater.

Printer's Error: The page numbers given in *The Chronicles* for Spring, 1969 (Volume XLVII, Number 1) began with 494 instead of the new series, number 1. *The Chronicles* for Summer, 1969, begins with the correct page number, page 118 (Volume XLVII, Number 2).

MILITARY DUTY ON THE WESTERN FRONTIER

By George H. Shirk

Several years ago when I was serving as a member of the Publication Committee for *The Chronicles,* the Editor, Miss Wright called my attention to some of the personal papers of the late Dr. Joseph B. Thoburn on file in the Editorial Department. Among his correspondence was an undated typewritten recollection of the Indian Territory military service of an Army officer, bearing the original signature, "E. P. Pendleton, Colonel, U. S. Army."

Attached to this paper was a memorandum dated May 15, 1936, from Martha Mullholland, Chief Clerk of the Historical Society saying, "Mr. Thoburn is of the opinion that this article was sent him for publication and was evidently overlooked." There is no other mark of identification yet as a first hand narrative of a high ranking officer who saw personal service in what is now Oklahoma, the paper remains a most interesting account which today is heightened by the Centennial at Fort Sill this year.

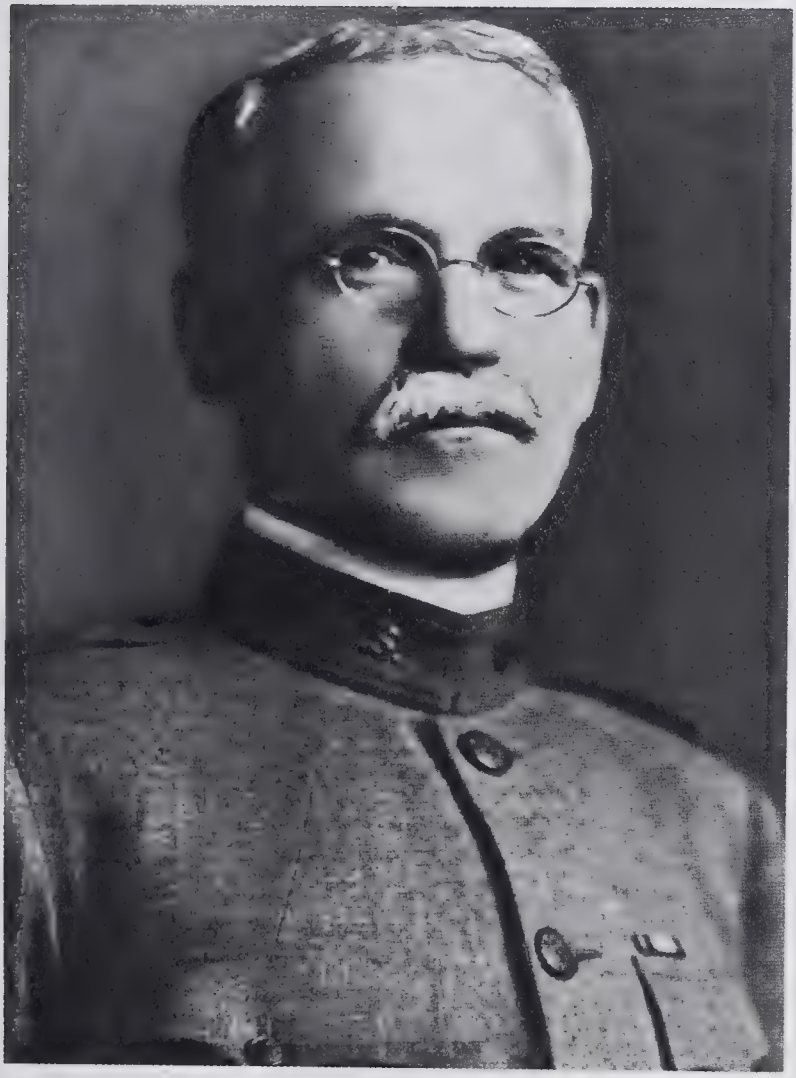
My research some years ago, reveals that Edwin Palmer Pendleton was born July 10, 1857, at Westerly, Rhode Island, a member of an old colonial family active in affairs since 1634. A direct ancestor, Brian Pendleton, had been Acting Governor of the Massachusetts colony, as well as a member of the Ancient and Honorable Artillery Company of Boston organized in 1638. A great-great-grandfather, Captain Nathan Pendleton served in the War of the American Revolution.[1]

Edwin Palmer Pendleton was a member of the 1879 Class at West Point. He was commissioned and assigned to the 23rd Infantry, serving continuously in this Regiment for twenty-four years as second lieutenant, first lieutenant and captain. The Regiment saw much service in the region destined to become Oklahoma, and its companies participated in the first land opening on April 22, 1889.

Captain Pendleton saw service in the Philippine Insurrection and returned there twice thereafter with his Regiment on tours of duty. He was promoted to Lieutenant Colonel in 1911 and received his eagles in 1913. Upon retirement, he made his

---

[1] A biography with the heading "Edwin Palmer Pendleton" with added notes under the title, "No. 2781 Class of 1879 Died April 8, 1892, at Washington, D.C., aged 74 years," appears in the *Annual Report* for the United States Military Academy for June 12, 1933. This biography of Colonel Pendleton was received through the courtesy of the Association of Graduates of this Academy, Colonel N. B. Wilson, Secretary.



EDWIN P. PENDLETON

home in Washington, D. C., and was recalled to duty during World War I.

Colonel Pendleton was a serious student, well read and widely informed. "Look it up in the encyclopaedia" was a favorite expression of his. Interested in his fellow man yet he had a stern sense of duty and no sympathy for backsliders. His attitude toward the enlisted man is well shown by the remark of an old soldier: "There isn't a better, pleasanter officer to serve under if you behave yourself; but God or the devil won't help you if you get to summary court."

Colonel Pendleton died in Washington on April 8, 1932, and is buried in Arlington National Cemetery. The circumstances of how his narrative came into the possession of Dr. Thoburn is not shown in the files but it is of much interest and is here published for the first time.

Colonel Pendleton's Recollections

I first saw what was then called Indian Territory the last week in September 1879 on my way to join Company "I" 23d U.S. Infantry at the Cantonment on the North Fork of the Canadian.[2] The terminus of the Santa Fe was at Wichita, soon extended to Wellington and later for many years at Caldwell. My journey was via Pond Creek,[3] Skeleton Ranch[4] which I have since been informed is now Enid, Red Fork (Cimarron), King Fisher and Fort Reno[5] and thence up the North Fork to the Cantonment. Cos. "A" "C" "D" "G" and "I" were there at that time. Co. "I" was mounted. Lieutenant Colonel Richard Irving Dodge[6] 23d Infantry commanded the Post.[7] He was a graduate

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2 Cantonment was established in March, 1879, by the 23rd Infantry. Unfortunately the monthly Post Returns are not available in The National Archives, and the great detail of information about the post is not accessible so the routine assignments and duty orders for Pendleton while stationed there cannot be utilized here.

3 The present town of Jefferson in Grant County.

4 Skeleton Ranch was a stop on the stage line from Caldwell to Fort Reno. It is now North Enid.—Berlin B. Chapman "The Enid Railroad War," *The Chronicles of Oklahoma*, Vol. XLIII, No. 2 (Summer, 1965).

5 The Post Returns for Fort Reno for the period do not list Lieut. Pendleton as a casual officer, so his stay at the post must have been of very short duration.

6 Col. Richard I. Dodge looms high in the military history of Oklahoma. It was at Cantonment that he wrote his famous *Our Wild Indians*. He was born in North Carolina, a member of the 1844 Class of West Point, promoted to Lieut. Col. October, 1873, to Colonel January, 1881, retired May 1891, and died June 16, 1895. This and other military biographical material here is from Francis Heitman, *Historical Register and Dictionary of the United States Army*, (Washington, 1903).

7 The post was abandoned in June, 1882, and the buildings became a Menonite mission and later an Indian school.

of the Military Academy, author of "Plains of the Great West" "Our Wild Indians" etc., a famous raconteur and brilliant conversationalist who had hunted over the western prairies for years. Amos Chapman was his interpreter and guide.[8] He is mentioned in "Our Wild Indians". Captain Louis A. LaGarde was Post Surgeon.[9] My Captain was Brevet Major George M. Randall who lately died as Major-General retired.[10] James B. Lockwood was a second lieutenant.[11] Later he perished in the Greeley expedition in the Arctic regions.

The buildings in actual use were constructed of pickets in the rough, cut in that vicinity, planted in trenches, plastered with mud or rude mortar and roofed with earth and canvas. Those who desired a more luxurious interior bought white cotton cloth of the post trader and lined them. This made neater walls and ceiling and lighted up very pleasantly. The Colonel was much interested in the permanent buildings which he was planning and construction of which was about to begin. However, the Post never became permanent and I never saw any of these buildings rise above their foundations.

About the first of March 1880 Cos. "D" and "I" went into camp near Caldwell and thereafter most of our duties in the Territory were to guard against intruders and "sooners"[12]. Company "I' remained at Caldwell until June. In the meantime all the other companies mentioned except "G" were moved to Colorado.

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[8] Amos Chapman was a renowned scout. He was awarded the Medal of Honor for heroism at the Battle of Buffalo Wallow, September 12, 1874, but his name was removed from the roll of honor in 1916 when the U. S. Congress enacted the law that only individuals in actual military service were eligible for the award.

[9] Louis A. LaGarde was born in Louisiana, was commissioned Asst. Surgeon in June, 1878, and promoted to Surgeon (major) in November, 1896.

[10] George M. Randall was born in Ohio. He entered the military service in 1861, as a private in the Pennsylvania Infantry. He was commissioned in October, 1861; mustered out in August, 1865 as Lieut. Col. to accept a commission of captain in the Regular Army. Commissioned Colonel, Regular Army, August, 1898; Brig. Gen. of Volunteers in May, 1898, and Brig. Gen. in Regular Army in February, 1901.

[11] James B. Lockwood was born in Indiana. Commissioned 2nd Lieut. Inf. in October, 1873; 1st Lieut. March, 1883; died April 9, 1884 at Camp Clay, Grinnell Land in arctic regions while on the Lady Franklin expedition under Greely.

[12] The post return of Fort Reno for April, 1880, has this entry: "The station of Company I, 23rd Infantry was changed from Cantonment on the North Fork of the Canadian River to Fort Reno, I. T. per S. O. No. 62 dated, Hdqtrs, Dept. of Mo. March 14, 1880. Company on detached service at Caldwell, Kansas."

In June Co. "I" was relieved by a dismounted company from Fort Leavenworth and marched to Fort Reno which was my station until October 1883.[13] Major Randall commanded Fort Reno more than two years. He understood Indians perfectly and undoubtedly saved the lives of many people during that summer by his masterly handling of the situation at the Cheyenne and Arapahoe Agency. A band of Northern Cheyennes were still at that Agency and much discontented. Major Randall finally succeeded in having them returned north to their native habitat and comparative peace and quiet reigned thereafter so far as the Indians were concerned. But would-be settlers persisted in coming into the Territory and winter camps were maintained frequently one of which was in or near the present capital of Oklahoma. I remember officially estimating its distance from Fort Reno as thirty-five miles. I was in that camp myself in February 1881.[14] Ben Clark was interpreter[15] and Tom Donnell was a guide, both in government employ.

Mr. Keeling and Son went from Fort Leavenworth and ran a post trader store at the Cantonment.[16] At Fort Reno the store was in the name of Neal W. Evans a jolly companionable man universally well liked.[17] His Brother John S. Evans was a very prominent member of the firm.[18] The Post Office at the Agency was called Darlington and there was an Indian School at Caddo

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13 The Fort Reno post return for June, 1880, has this entry: "Company "I" 23rd Infantry (Mounted) arrived at Post June 7, 80 in compliance with Par. 2 S O No. 113, dated Hdqtrs. Dept. of Mo. May 26, 1880. Distance marched 112 miles." The Return for July, 1881, reflects that Lieut. Pendleton was "Absent since July 24, 1881, in pursuit of deserters per Order 116, c.s. Post Hdqtrs.," and that on August 2nd he "returned from Caldwell, Kans. Distance marched 200 miles."

14 The Fort Reno post return for December, 1881, has this entry pertaining to Lieut. Pendleton: "In the Oklahoma Dist. I. T. since Dec. 16, 1881 per Order No. 204, c.s. Fort Reno" and that he rejoined January 19, 1882.

15 Ben Clark was one of the scouts accompanying Custer at the Battle of the Washita. Clark is treated in detail in Charles Brill's *Conquest of the Southern Plains* (Oklahoma City, 1938). Clark lived out his later life in El Reno, and a street in that city bears his name.

16 The reminiscences of Henry C. Keeling in "My experiences with the Cheyenne Indians" are in *Chronicles of Oklahoma*, Vol. III, No. 1 (April 1925). He refers to nearly everyone mentioned by Col. Pendleton.

17 Neal Evans has been described as "the highest type of an American gentleman, a kind, considerate, honest and upright man." See "Review Historical Publications," *Chronicles of Oklahoma*, Vol. IX, No. 3 (Sept. 1931), p. 343. A street in El Reno honors him by bearing his name.

18 Although innocent himself of wrong doing, the name of John S. Evans was involved in the unfortunate Belknap scandals during the Grant Administration. Evans is treated at length in Nye, *Carbine and Lance* (Norman, 1937).

Springs a short distance north where the water was ample and fine, the most beautiful spot I ever saw in the Indian Territory.

While in camp at Caldwell I made a short trip under orders to hunt for intruders and met a man named Bell a Cherokee probably with some white blood. He had a dwelling there as I remember on the Cherokee Strip and from him I learned for the first time of the claims of the Cherokees which I believe were finally recognized and purchased by the United States.

I cannot remember now exactly where Mr. Bell was living; but I did not go more than about ten miles south of the Kansas line and not farther east than where the Arkansas River crosses that line. Well do I remember the beautiful Chilocky Creek and the fine water from it.[19] All this time and I suppose for years later the old Abilene and Chisholm trails were very distinct and prominent landmarks. At that time peach trees seemed almost as well adapted to that climate as cottonwoods.[20] I have never seen as fine peaches as some at Evans' store said to have been raised by an Indian on the Washita named Washington.

The mail came by stage from Caldwell once a day. When on time as I remember it arrived at Fort Reno about eleven a.m. perhaps more often later and its arrival and distribution at the post trader store was an important event. Of coursé there was a telegraph office in the Post and on rare occasions important dispatches would be received such for instance as the assassination of President Garfield in 1881 and Mr. Cleveland's election as governor of New York by 192000 majority the next year.

Major Randall frequently had social callers of Indian blood. I remember "Wild Hog" or "Old Hog" I am not sure which was his correct cognomen.[21] I well remember that his acquaintance and friendship with Major Randall were very serviceable to the latter when the outbreak was threatened in August 1880. Mr. Miles the Agent in particular owed his life to Randall and Hog.[22]

---

19 Chilocco Creek in Kay County.

20 The peach crop was so good in Oklahoma Territory that even a post office was named Elberta because of it. George H. Shirk, *Oklahoma Place Names*, (Norman, 1965), p. 71.

21 Wild Hog was a Cheyenne contemporary of Dull Knife, Little Wolf and a number of other Plains Indians whose names are prominent in Oklahoma history. C. F. Colcord gives an interesting sketch of Wild Hog in *Chronicles of Oklahoma*, Vol. XII, No. 1 (March, 1934). Also, see Covington, "Causes of the Dull Knife Raid," *The Chronicles of Oklahoma*, Vol. XXVI, No. 1 (Spring, 1948).

22 John D. Miles was a Quaker Indian Agent appointed under Grant's policy giving preference to members of that church. He served many years in what is now Oklahoma.

Target practice in the Army was beginning its vogue and I spent many hours on that duty. The first range was south of the Post the firing point facing south. It was later southeast firing east and still later east the direction of fire being south again.

Besides "Hog" I remember an Arapahoe named "Powder Face".[23] One of the most reliable scouts was "Crow" or "Old Crow". Indian Scouts were employed constantly.[24]

All the Indians I knew pronounced Cheyenne without sounding h as tho it were spelled "Sienne". Mr. Bell maintained that Cherokee should properly be pronounced "Chelokee". I always heard Indians say "Comants", "Comantz" never Comanche in three syllables as we pronounced it. It seems a coincidence that my son just returned from Wyoming, states that the widow of Jack Stillwell is living at or near Cody in that State.[25] It appears that Mr. Stillwell lived some time and died in the southern part of Wyoming. I remember him as a young man around Fort Reno. Old residents will probably remember that as a boy he was present on the Arickaree Fork of the Republican when "Sandy" Forsyth "stood off" Roman Nose and his large band of Indians in 1868.[26] I was not well acquainted with him; but he had a great reputation of serving Forsyth faithfully as messenger and scout.

Ben Clark I knew well. Altho he must have been often in an unrefined environment he never seemed affected by it. In all my acquaintance with him he was always what I would call a natural born gentleman. The Quartermaster's clerk was Mr. Herman Hauser who lived south of the post trader's store and

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[23] See Covington, *op. cit*, for details on Powder Face. John H. Seger gives an excellent biographical sketch on him in *Chronicles of Oklahoma*, Vol. XI, No. 2, (June, 1933).

[24] Old Crow likewise appears in Covington, *op. cit.*

[25] Jack Stilwell was a noted scout in the history of the West. Mention of him appears in "Missionary Tour in the Chickasaw Nation and Western Indian Territory", in *The Chronicles of Oklahoma*, Vol. XXXIV, No. 4, (Winter, 1956-57), p. 408. Stilwell was the guide that brought the relief column to the aid of Col. Forsyth on Arickaree Creek.

[26] Col. George A. Forsyth was engaged by a large Sioux war party along Arikaree Creek on September 17, 1869. After heavy fighting Forsyth was able to extricate his detachment following the death of Roman Nose. See William H. Leckie, *The Military Conquest of the Southern Plains*, (Norman, 1963), p. 76 *et seq.* There is a detailed account of the Batttle of Arickaree Creek in "A Version of a Famous Battle" by F. M. Lockard, *Chronicles of Oklahoma*, Vol. V, No. 3, pp. 297-310.

residence southwest of the Post. He was a U. S. Commissioner and administered all the affidavits.

As long as I live I shall be particularly interested in the welfare of the great State of Oklahoma.[27]

/s/ E. P. Pendleton
Colonel, U.S. Army.

[27] The Fort Reno post return for October, 1883, records Colonel Pendleton's departure from what is now Oklahoma with this simple military style entry, typical of his own direct yet competent service: "Left post per S. O. 198, par. 2, Dept. Mo. dated Sept. 28, 83."

GENERAL SHERMAN'S LETTER TO HIS SON: A VISIT TO FORT SILL

*By James M. Merrill**

Introduction

During the spring of 1871 the demands from frontiersmen of the Southern Plans for increased protection reached the War Department in Washington. In a formal resolution the State Legislature of Texas underscored that in the preceding five years hostile Indians had murdered several hundred citizens, stolen or destroyed property worth millions in value, and retarded settlement of frontier counties.

Disinclining to accept such reports at face value, General of the Army William Tecumseh Sherman decided upon a personal tour of inspection. With Inspector General Randolph B. Marcy and an aide he started for the Southern Plains.

On April 28, the party arrived in San Antonio and a few days later, escorted by seventeen troopers of the Tenth Cavalry, they headed for the outposts. Traveling in a vast semicircle by way of Forts McKavett, Concho and Griffin, they rode into Fort Richardson [Texas] on May 17. Although there had been constant reports of depredations, they had seen no Indians.

At headquarters in Fort Richardson, Sherman discussed the military situation with the post commander, Colonel Ranald S. Mackenzie, Fourth Cavalry. Sherman listened politely to a delegation of Jacksboro citizens recite a long list of Indian outrages. His trip through Texas had been so uneventful that he was disinclined to believe such stories.

That evening, however, a wounded man struggled into the post hospital, identifying himself as Thomas Brazeale, a teamster. While the surgeon dressed his wounds, he related a fearful story. With eleven others employed by freighter Henry Warren, he had been driving ten wagons loaded with corn from Weatherford [Texas] to Fort Griffin. Suddenly, on the afternoon of May 18, they had seen an Indian war party galloping toward them. Quickly the teamsters had crawled beneath their wagons, hoping to fight off the hundred or more hostiles. Their situation had been impossible. With seven of their number slain, the survivors had fled on foot towards the heavy timber two hundred yards away. Brazeale did not know the fate of his comrades.

Learning of the attack the next morning, May 19, Sherman sent Mackenzie in pursuit and dispatched a courier to Fort Grif-

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fin ordering a detachment to search the headwaters of the Little Wichita River. Meanwhile Sherman and his party rode to Fort Sill, Indian Territory, to await results.

They arrived at the fort on May 23, and Sherman discussed the recent assault with the post commander, Colonel Benjamin H. Grierson, Tenth Cavalry, and Indian agent Lawrie Tatum, who agreed to cooperate with the Army in apprehending the culprits.[1]

The following letter, written by General Sherman to his young son Tom, relates the events that transpired at Fort Sill. The letter explains Sherman's attitude toward the hostiles, his ideas about Indian reservations and agents, and his actions in apprehending the murderers, Satanta, Satank, and Big Tree.

This letter from Sherman to his son is in the Manuscript Division, University of Notre Dame Archives:[2]

General Sherman's Letter

Fort Sill, Indian Territory
Monday May 29, 1871

Dear Tommy,

This was the day I first fixed for starting to Fort Gibson, but I have concluded to wait another day, to hear if possible from the troops that started after some Indians from Fort Richardson. Also certain things occurred here last Saturday, the effect of which I wish to observe, but if I do not learn any thing definite today, I will resume the journey tomorrow though the roads are very muddy, and some of the streams may be high from late rains. Yesterday was clear, but today is again cloudy, and I fear we will have more rain.

For many years the Government has been endeavoring to collect each of the many different tribes of wild Indians on reservations, that is to collect them in land with distinct boundaries, where they were to live and stay and in consideration of their abandoning their old habits of hunting and stealing the Government undertook to provide them food, and certain goods for clothing, &c. and to enable them to learn how to farm and live like white people.

For each reservation their is an agent appointed to issue the food and clothing. These agents have been changed from

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[1] William H. Leckie. *The Military Conquest of the Southern Plains* (Norman, 1963), 147-153.

[2] The Sherman Papers at Notre Dame is a large and fine collection of manuscript letters and under the auspices of the University and the sponsorship of the National Historical Publications Commission fifteen rolls of microfilm have already been published.

time to time, but have been so dishonest, that at last Quakers have been selected, because they are believed to be more honest than other people, and because they are known to love the ways of peace.

I am now on the reservation set apart for the Kioways, Comanches and Apaches, three of the boldest tribes on the Plains—The agent is a very good Quaker named Tatum from Iowa and he has his agency close by this, Fort Sill. This fort was established here to protect these Indians, so long as they remained at Peace, and is garrisoned by six companies of the 10th Cavalry, General Grierson in command. The Indians to the number of about five or six thousand old and young occupy this Reservation, which is 50 miles north and south, and about sixty miles east and west. They do not live close by [the] Fort but some distance off, and they come in twice a month to draw of the agent, provisions and presents.

Last Saturday about a hundred came in as usual and camped around the agency, and Mr. Tatum began his issues, when Satanta, one of the leading warriors of the Kioways, told the agent that he had just been down in Texas, where he had captured a train of ten wagons and killed some of the Teamsters, the very thing that had occurred when I was at Fort Richardson, on the Road over which I had travelled the day before.

The agent brought Satanta up to the Fort to see me, and there informed me and Gen. Grierson of what Satanta had said. Satanta then made the same story to me, admitting the exact number of animals in the Train viz 41 and that there were four of the war party now in camp.

I resolved at once to arrest them, and told Gen. Grierson quietly to have his horses saddled and his men under arms. Satanta wanted to get off, but the orderly on duty presented his pistol and the Interpreter Mr. Jones explained to him that I wanted to hear more about this Texas affair.

I sent for the other three warriors who had been with Satanta; got two of them Satank and Big Tree, the latter was at the sutler store and seeing the soldiers enter the front door and suspecting their purpose, jumped through a back window and tried to escape, but the soldiers pursued him, fired several times and caught him and brought him to the front porch of Genl. Grierson's Quarters, where we were all seated and having a Talk.

Meantime several other chiefs had come so that there were in all about a dozen of them present, and Gen. Grierson had surrounded his house with a guard of soldiers, with orders to

shoot any Indian who attempted to leave. I then announced to the Indians that I intended to hold four warriors prisoners and send them back to Texas for trial, viz those who had robbed the train and killed the seven Teamsters, and that they must surrender the 41 mules. This produced great feeling and for some time it looked as though we would have a fight on the spot, but one of the warriors Kicking Bird, whom I had known on the Arkansas some years ago, kept them quiet. All were offering any number of mules and horses, if I would overlook this case, and let Satanta go, but I would make not the least concession.

Whilst this Talk was in progress, another noted chief, Lone Wolf, rode up, hitched his horse, came on to the porch, with two carbines and a bow, which he handed to several Indians, and some say he cocked his carbine, but this I did not see, but I did see Stumbling Bear, string his bow and pull out an arrow.

The guard[s] in front of the house, cocked their guns and aimed them, but we were all mixed up with the Indians, and to have fired at them, some of us would have been hit, beside what damage may have been done by the Indians, all of whom had, guns, pistols, knives, bows and arrows. For a few minutes it looked as though a fight was inevitable, but after some moments we calmed them down and resumed our "talk."

At that instant of time four or five other Indians, not chiefs, who sat on their horses, some distance off, started towards the agency, and were intercepted by a Guard at the corner of the Fort. Instead of halting when ordered, they began firing arrows when the soldiers fired on them, killing one and wounding one. As soon as the Indians at the Agency saw this, they supposed the attack on them would be general, and stampeded for the woods along Cache Creek abandoning their camps, and some of their animals.

Meantime as night was near at hand, the Chiefs saw that I was determined to hold Satanta, Satank and Big Tree; they asked to go to bring back their people who had fled, and promised next morning (yesterday) to give up forty of their mules and ponies to be held till they could surrender the mules taken from the Texas Train. So they started, and we have seen nothing of them since. They had got no rations or presents and we held the three Principal chiefs under strong guard with irons on their ankles and wrists, and I have instructed Gen. Grierson to surrender them to Genl. McKenzie in Texas, there to be tried and hung, for the murders there. They dread this terribly, begged to be shot on the spot like warriors, but I explained to them, that as they went to Texas in violation of their Treaty, they must pay the penalty of their lives there.

There was a good many women and children in their camps here, who do all the work of packing, and when the firing began, which resulted in the killing of the warrior they flushed first like a flock of quail. I did not see it of course as at that moment we were having a talk with the Principal chiefs at Gen. Grierson's porch, but Kicking Bird asked me not to send Satanta off till he saw me again, as he surely would be here again. I expect him in very soon, but my solution of their absence is that General McKenzie, delayed by the high water in Red River, is now over and probably following the trail of the stolen mules, some fifty miles west of this, and that all the Kioways and Comanches are retreating before him to the Antelope Hills two hundred miles north west of this place.

We may have war with them, but that is better than to permit them to raid on the Frontiers of Texas, and find Refuge here on this Reservation. Of course the newspapers, and those who believe the Indians are always wronged will raise a howl against me personally, but I know Indians well enough to believe that they must be made to feel the power of the United States before they will cease their murders and Robbery.

If the Kioways want to fight it is better for the soldiers to fight them, than to allow them to attack with impunity unguarded trains on the Roads leading to the Forts in Texas.

The train in question was of ten wagons, loaded with corn for Fort Griffin. There were ten teamsters and two wagon masters, all armed, but with insufficient ammunition. There were 100 Indians with Satanta, and the Teamsters fought till seven of their number were dead and then five of them escaped to a point of woods and into Fort Richardson where I happened to be.

Gen. McKenzie started same day in pursuit and before I left Fort Richardson I had a note written by Gen. McKenzie at the Train confirming the story of the escaped Teamsters to me, adding that one of the bodies was found lashed to a wheel and burned to a crisp.

Satanta admitted all this except the burning the Teamster and as he lost three warriors killed and three wounded and as one warrior has been killed here, he says the account is even and therefore I ought to be satisfied.

I answered him that it was a cowardly act for a hundred professed warriors to attack a dozen citizen Teamsters and that all his hundred in time would be hung up like dogs, as he would be. He begged me to take him out now and shoot him, but I told him he should hang in Texas. This they dread ter-

ribly, and the Tribe may attempt his rescue here, or en route to Texas, but every measure of precaution will be taken and on the least display, the guard will shot these three prisoners dead. Of course their indignation is against me, for the agent and Gen. Grierson have hitherto been extremely kind to them, and have overlooked former infractions of the Treaty, but the agent admits that further forbearances would be criminal on our part.

If nothing further occurs today I will start for Fort Gibson, taking sufficient escort till I reach the settlements which begin about 65 miles east of here.

The Civilized Indians, Cherokees, Creeks, Choctaws, Chickasaws &c. are to hold a Grand Council at Okmulgee 50 miles this side of Gibson at the Creek Agency on Monday a week hence. I will aim to be there to see them in Council. They are trying to get these wild Tribes to quiet down and follow their example. I hope they will, but I have little faith in the Kioways and Comanches, or in the Cheyennes and Arapahoes, who have a Reservation north of this . . .

Affectionately your father,
W. T. Sherman

Subsequent Events out of Fort Sill

The prisoners Satanta, Satank and Big Tree were loaded into wagons and under heavy escort moved out from Fort Sill for Texas. Two days later Satank was shot dead trying to escape.

When Sherman arrived back in Washington he learned that a Texas jury had found Satanta and Big Tree guilty of murder and the judge had sentenced them to be hanged. The trial, however, had attracted national attention and both the judge and Indian agent Tatum had been inundated with letters pleading for the Indians' lives. Under mounting criticism the Governor of Texas issued a proclamation commuting the sentences to life imprisonment.

Such action was damned throughout the state. Many Texans believed that commuting the sentences would mean the eventual release of the chiefs and that the frontier would then suffer as never before. At his office in the War Department General Sherman warned that if the Indians went free, "no life from Kansas to the Rio Grande will be safe, and no soldier will ever again take a live prisoner."[3]

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[3] Leckie, *Military Conquest*, p. 155.

COLONEL ALBERT SIDNEY JOHNSTON'S MARCH THROUGH INDIAN TERRITORY IN 1855

By T. L. Ballenger

After Albert Sidney Johnston had finished his service in the Mexican War, he was appointed paymaster for a line of military forts across west central Texas. He served in this capacity for some four or five years. The pay was small and the work was onerous but Johnston did it well. His home at that time was at the newly established capital of Austin.

By 1855 he was ready and anxious for a change of employment. He was ready for almost anything but hoped for reinstatement into the military service. Through his own efforts and through the assistance of influential friends he attained the very kind of position that he wanted.

The Comanche Indians of the western plains were raiding the pioneer settlements of West Texas. The new state seemed unable to quell these raiders and was anxious to have Federal troops stationed along the frontier to keep these Indians on their reservations. Their unexpected raids were forcing the ranchmen to leave their cattle and take refuge in the more settled areas of the state. The military force of Texas was not able to control the raiding Comanches.

Albert Sidney Johnston was made commander of the newly formed Second United States Cavalry Regiment, with the rank of Colonel, and assigned the task of bringing the Comanche Indians under control and making West Texas safe for the pioneer settlers of this region.

In the early spring of 1855 Johnston assumed his new office at Louisville, Kentucky, then immediately began the formation and training of the new regiment at Jefferson Barracks, St. Louis. Lieutenant Colonel Robert E. Lee was second in command.[1]

The recruiting, equipping, and training of this new force took several months of strenuous labor. Colonel Johnston stood for discipline and efficiency. In this command were a number of under officers who later became famous for their service in the Civil War, some on the Northern side and some on the Southern.

Finally, on October 27, 1855, the Second United States Cavalry Regiment filed out of Jefferson Barracks, Missouri, on their march to Texas. Most of the heavy equipment for the cam-

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[1] Charles P. Roland, *Albert Sidney Johnston*, (Austin, 1964), pp. 168-170.

paign was shipped by boat down to the southern coast of Texas. The regiment consisted of 710 men. The wives, children, slaves, and hired servants of four officers, including Colonel Johnston, were taken along. There were twenty-nine supply wagons, an ambulance, and the privately owned teams and wagons of some of the officers. "The formation looked something like an emigrant train bound for California."[2]

Johnston's wife, Eliza (his second wife), kept a diary of the campaign. She described the terrain, scenery, weather, marching conditions, inhabitants along the route, diseases and injuries, births and deaths, philanderings, and gossip. Eliza seems to have been a smart woman. She had many original ideas.

In one account Eliza said: "Mild weather cheered the early portion of the march. Especially pleasant were scenes at night with hundreds of campfires blazing before as many tents, and soldiers seated on blankets, swapping stories, or tending kettles of boiling food." Later the weather got bad and they had many hardships. Some of the oxen and horses died of cold. Their daughter Maggie (Margaret) was only five. Eliza and the children had the every-other-day chills before they started and continued to be afflicted with them on the way down.

The regiment marched diagonally across Missouri, across the northwest corner of Arkansas, entered the Indian Territory at Maysville, then passed through Tahlequah, stopped at Fort Gibson three days,[3] then crossed the Arkansas and Canadian rivers a short distance above their junction, and continued in a southwesterly direction to Fort Mason, Texas (in the south central part of the state).

On November 14, they passed through Springfield, Missouri, then a town of 1,500 people. On Thursday, November 22, Eliza says: . . . "8 miles beyond this is the boundary of Missouri, where we will get among civilized Indians." In Missouri they bought apples for 40 cents a bushel and chickens for 12½ cents apiece.

Eliza's Diary Continues

Nov 23d Friday

. . . passed over the country owned by the Senecas on the right is the Seneca the left Missouri the road is just on the line for some miles.[4]

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[2] *Ibid.*, p. 173.

[3] Grant Foreman, *A History of Oklahoma* (Norman, 1942), p. 86.

[4] *Southwestern Historical Quarterly*, Vol. LX (April, 1957), pp. 467-482. The original diary of Eliza Johnston is found among the Johnston Papers, in the "Barrett Collection," Tulane University.

Saturday Nov 24

I had a hard ague we are now fairly in the Indian Territory in leaving Missouri we gladly shake the dust from our feet and going on our way rejoicing hope we shall find more gentlemen and better people among the Indians Marched 18 miles, had quite a party of Indians at our tent, who came to sell us some turnips & a rabbit camped on the Spavino a beautiful clear little stream, Rain.

Sunday Nov 25th

Marched 14 miles camped on Spring Creek a clear mountain stream bright weather but muddy an Indian dog would creep into our tent and slept with us in spite of repeated driving him out. Signs on each side of the road of Tornado

Monday 26 Feb. (*sic*)

Marched 14 miles, saw evidences of a tremendous Tornado having passed tearing up in its course the largest forest trees Sid and Ellen both had a chill today.

Tuesday Nov. 27th

Marched 15 miles forded Illinois creek camped at Leps' Farm passed through the capital of the Indian Territory ("Talequah") a small town which contains several large brick houses a small public square prettily shaded with fine forest trees, and a court house and other public buildings occupying the 4 corners of the square. Saw a beautiful country with fine scenery not very well settled. on the south side of Talequah is a fine Colledge beautiful situated and a handsome country Seat to the right of the road about three miles which I was told is the residence of Ross the half breed chief.[5]

Wednesday Nov 28th

Marched 10 miles arrived at Fort Gibson quite a neat village like garrison, Major Morrison commanding. Mrs. Dr. Randall & Mrs. McClure (i.e. Virginia & Emily Taylor) received us very kindly, invited us to stay with them which I declined, Maj. Morrisons son 19 years old was drowned in skating on the ice

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[5] This "fine Colledge" was the Cherokee Male Seminary. The writer could have mistaken some other house for the chief's residence. By any road they could have gone to Ft. Gibson the chief's residence was on the left and a considerable distance from the road.

This diary does not sound as if they camped at Tahlequah but first hand information indicates that some of the Regiment camped there overnight or at least stopped there temporarily. The late Reverend Joseph Franklin Thompson of Tahlequah was attending the Male Seminary at that time. He said that the troops were camped at the Robert B. Ross spring south of Tahlequah and that he went from the Seminary out to their camp and talked with the men. Seven years later he was in the Civil War serving as Stand Watie's Adjutant.

last winter. I bought a nice Turkey, some butter & Indian Hominy fine weather.

Thursday Nov 29th

In camp, called on the ladies at the Post during our visit jelly cake and Brandy Peaches was handed, all well weather clear, bought another Turkey.

Friday Nov 30th

Gave Sid and Ellen [6] 20 grs quinine they escaped their chills. I have been patching childrens clothes all day. was invited to dine with Mrs Randall declined as Mr Gerrard dined with us.

Saturday Dec 1st

We were invited to Maj Morrisons to dine declined, as I had previously invited Capt Stoneman to eat Gumbo with us. Called on ladies this morning. Mr. Potter sent me some fine Partridges because he is a warm friend of brother Johns we bought 2 fine Turkeys and some fine butter the butcher sent us a ham of venison, very good living on a campaign

Sunday Dec 2nd

Crossed the Arkansas & marched 8 miles for 4 or 5 days the weather has been clear Mrs. Randall and Mrs McClure sent the children some cakes. had a fat turkey for dinner, Capt. whiting dined with us

Dec 3d Monday

Elle [Elk] Creek camp,

arrived at 12 oclock M. after a march of 12 miles we are now in the creek nation, who are more civilized in appearance than any Indians we have yet met with had a Turkey for dinner Mr. Field helped us eat it. Very Cloudy weather.

Tuesday Dec 4th

Marched 20 miles saw some very comfortable Indian farms, saw two Indians far off in Prairie lurking about in the high grass. two of the Pioneers unslung their carbines and galloped towards them thinking they were some wild animal, but on closer inspection discovered their mistake . . . We crossed the North

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[6] Sid was one of Colonel Johnston's sons. Ellen and George were hirelings who drove the family wagon and looked after the household affairs. They were all the time quarreling and spatting at each other. George told a story of the Irishman who came to this country and saw a terrapin. He exclaimed, "Ooh by the sowl of my grandmother but its meself had to come all the way to America to see a snuff box walk."

Canadian today where there is a small Indian village.[7] clear day but cold. The officers continually have difficulties with our beef contractor. Saw a large Lovos on the Prairie.[8] the wolves have been howling around us for several nights, coming up closely to our tents.

Wednesday Dec 5th

Marched only 7 miles as it took nearly all day to get the train over the quicksands of the Canadien. A party of 4 Creek Indians came to our tent one was blind we gave him some bread and butter. he seemed clean and well cared for, they made signs that they could not speak or understand English until they were leaving when they asked "if we had any hog meat they would like to have some" speaking as good English as any one. Col. Hardee dined with us today had a nice roast Turkey

Thursday Dec 6th

Marched 20 miles over the roughest road we have yet had . . . The road today passed through the territory belonging to the Creek Nation. was thickly covered with sandstone some in the natural state others having the appearance of having been melted and cooled in ripples. Camped on Gains Creek (a tributary of the Canadian River)

Friday Dec 7th

Marched 19 miles camped a mile from Perryville in the Choctaw Nation, roads rough but not so bad as yesterday more marks of civilization than among the Creeks . . . Indians here own slaves & dress them as well as themselves. saw a half breed woman down on hands & knees with a blanket around her, and a negro man in the same position opposite her, counting the money he had gained in the Sale of cakes & pies on a handkerchief on the ground. a fine rich country on either side of us

Saturday 8th

Marched 20 miles appearance of the country quite curious, during the early part of the day, long lines of stones stuck endwise in the ground & very large trending east & west. generally upon the top of a slight abrupt bank, these formed an odd feature Geologically in the evening their direction was north & south. the only place there were any trees was upon these slight ledges, rooting themselves among rocks the land around was a bare but slightly undulating Prairie. My idea is that the hills have sunk leaving only their tops exposed with the loose rocks

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[7] A few miles south of the crossing on the North Canadian was the well known village of North Fork Town, an important center on the Texas Road in the Creek Nation from 1836.

[8] This was a lobo or timber wolf.

pushed up. Rans horse fell with him and sprained his leg dreadfully.

Sunday 9th Dec

Marched 15 miles Country still presenting an odd appearance but somewhat different from yesterday, road smoother and through a fine rich valley . . . a clear beautiful day a pleasant greeting sent by Mr. Chouf from Washita from Dr Williams of the army. Rans foot and leg very bad, had to carry him in the carriage today Campe on south side of little Boggy

Monday 10th Dec

Marched 17 miles camped south of Big Boggy Depot (on Clear Boggy Creek) on a bright clear creek. Genl had a difficulty with an English carriage driver & discharged him. he begged so hard to stay, and apologizing the Genl took him back

Tuesday 11th

Marched 20 miles this is Maggie's birthday she is not well, dear child. Camped near an Indian house bought some chickens for 12½ cts each.

Wednesday 12th Dec

Marched 9 miles into fort Washita met Maj Alexander & Maj Andrews, Mrs Hunt Mrs Smith &c &c the soldiers at W saluted our Reg with 30 guns. we had many kind offers & invitations from all, quarters very nice & prettily finished with walnut doors facings & shutters

Thursday 13th

Remained in Camp at Washita. wrote to Uncle by Maj. Alexander & paid my visits in hard rain.

Friday 14th

Marched 20 miles cleared off in the evening after showers all day poor Sid had a hard chill at daylight. Camped at a large farm belonging to a man who was a Murderer in Texas & upon whose head a reward is set.

Saturday 15th fine day

Marched across Red River to Preston in Texas, only 2 or 3 miles Maggie exclaimed as soon as we reached the Texas side, "this is my country hurrah for Texas[9]

The Regiment reached Fort Mason January 14, 1856.

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[9] Preston was located on the Texas side of Red River, near the mouth of Washita River. It is now covered by Lake Texoma.

PHASES OF RECONSTRUCTION IN THE CHOCTAW NATION, 1865-1870

*By Lewis Anthony Kensell**

Chief Allen Wright of the Choctaws stated emphatically in his inaugural address in the fall of 1866: "This was the second time in our history that the bright future prospect for the Choctaws in the rapid march to civilization—progress of education, and wide spread of religion among them have been impeded and paralyzed by direct and indirect acts of the Government of the United States."[1]

With the conclusion of the American Civil War, social and economic disorganization was apparent throughout the Choctaw Nation. Wright depicted the situation as one of "lawlessness, violence, robbery and theft."[2] Toward the latter part of the war and for several months after its termination, disease and famine stalked through the Nation taking a heavy toll and leaving misery and wretchedness in their wake.

Even though the Choctaw countryside had not encountered the desolation of the federal forces experienced by the other tribes of Indian Territory, there was widespread suffering among most of the populace. There was an alarmingly inadequate food supply, and the requisition of former Confederate troops as well as Cherokee and Creek refugees created a serious problem which approached the point of starvation. With the advance of Union forces southward, thousands of refugees had sought security in the Nation. In the fall of 1865, with the close of the war, 6,000 Cherokee and a smaller number of Creek were still in the Choctaw Nation, thus intensifying the difficult conditions.[3]

The provisions of the various treaties between the United States and the Indian Nations before the Civil War had guaranteed them military protection. It was with the withdrawal of

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* The author is a former graduate student of Dr. LeRoy H. Fischer, Professor of History and Civil War era specialist at Oklahoma State University. This article was written while Mr. Kensell was a member of Dr. Fischer's research seminar.

1 Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman: University of Oklahoma Press, 1941), p. 93.

2 James Davidson Morrison, "Social History of the Choctaw, 1865-1907," (Doctor of Philosophy dissertation, University of Oklahoma, Norman, Oklahoma, 1951), p. 176.

3 Debo, *The Rise and Fall of the Choctaw Republic*, p. 91; Issac Colman to Elijah Sells, Fort Smith, Arkansas, September 19, 1865, *Commissioner of Indian Affairs, Annual Report, 1865*, pp. 257, 280, (60 vols., Washington: Government Printing Office, 1849-1909), hereafter cited as the *Annual Report of the Commissioner of Indian Affairs.*

this obligation that the Indian Nations were pressured into alliances with the Confederacy. What seemed to be an indiscretion in treaty enforcement, was the primary cause of their support of the Confederate States.[4] Since the Choctaw Nation was geographically contiguous to the Confederacy on two sides, and also, possessing basic institutions in several ways analogous with those of the South, it was in a sense both coerced and induced to support the Southern cause.

Peter P. Pitchlynn, the Principal Chief of the Choctaw Nation, preceding Wright, noted in late 1864 that the information, which he had received from every county and almost every neighborhood within the Nation, represented a state of destitution and suffering unprecedented in the history of the Choctaws. He described "the few farms . . . on the Red River as their only hope of subsistence" and alleviation of discontent. Since most of the men had been in the services of the Confederacy, a considerable amount of the land had not been worked, and the sparse areas under cultivation had not produced a good yield because of a drought the previous summer. The present supply was insufficient, and the soldiers, in the defense of their families, were in a restive spirit and asserted themselves by taking supplies by force and threat of violence. This willful destruction of private property throughout the Choctaw Nation, consequently intensified dissatisfaction. Pitchlynn, in an effort to abate the situation, suggested that civil and military authorities fully cooperate to check and punish offenders. Also, he proposed that troops be ordered to other localities for subsistence, hence permitting the food supply "at Shawneetown and other points on the Red River to be reserved for the families of soldiers and the refugees" of the Cherokee and Creek Nations.[5]

It was in the presence of continued reports concerning the widespread destruction of personal property by soldiers, refugees, and freedmen, that an act of the Choctaw Council of October 19, 1865, was proclaimed. It instructed the chief to address the head of the Cherokee and Creek Nations to define and enforce law-abiding behavior "after which notification of offenders would be dealt with by Choctaw law to the detriment of the good feeling that had long existed between the tribes." Chief Wright, in no uncertain terms, stated that there would be no differentia-

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[4] Annie Heloise Abel, *The American Indian Under Reconstruction* (Cleveland: The Arthur H. Clark Company, 1925), p. 11.

[5] Chief Pitchlynn to Major General Maxey, December 29, 1864; Maxey to Brigadier General W. R. Boggs, December 31, 1864; and Maxey to Pitchlynn, December 31, 1864, United States War Department, *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (70 Vols., 128 books, Washington: Government Printing Office, 1880-1901), Ser. I, Vol. LIII, pp. 1934-1936.

tion of nationality, while reestablishing control and stability, and pleaded with all of those temporarily within the confines of its legal structure to exercise restraint and good order and secure temporary permits or be subjected to removal as intruders.[6]

The enforcement of statutes was hampered by several factors, but two in particular were pertinent to the situation. One was the disputed jurisdiction "between the United States and the Choctaw Nation with its inevitable twilight zone where sovereignties overlapped." The other, of major importance, was the continual fluctuating turnover of county officers producing wide descrepancy and varied interpretation of local policy.[7]

As a result of erratic and ineffective law enforcement, criminal depredations were evident in various forms. One was the threat to the cattle herds which had comprised so much of the national wealth. The legitimate requirements of the refugees and soldiers were depleting the herds to a considerable extent; however, it was the activities of cattle thieves which became intolerable. During this period, cattle drives would organize in Texas and traverse Indian Territory on their way to Kansas and Missouri. With these great herds crossing the Choctaw Nation, it was a formidable task to prevent Indian stock from being added to their numbers. Also, there were many reports of cattle being driven eastward to Little Rock and Fort Smith, Arkansas, by "whites who have lived among the Indians for several years" and "are now taking advantage of their knowledge of the country."[8]

The feeling of demoralization was reinforced as a result of the atrocities administered by gangs of white renegades who exercised no reluctance in plundering the countryside as they desired and resorted to the murder of those who offered any resistence. The Choctaw Nation, with its proximity to Arkansas and Texas, became the focus of freedmen migration, and together with the Indian freedmen, they not only intensified social disarrangement but created conditions for considerable criminal activity.[9]

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6 Debo, *The Rise and Fall of the Choctaw Republic*, p. 92; Joseph P. Folsom, *Constitution and Laws of the Choctaw Nation* (New York, 1869), p. 429.

7 Morrison, "Social History of the Choctaw, 1865-1907," p. 176.

8 Issac Colman to William P. Dole, Fort Smith, Arkansas, September 19, 1865, *Annual Report of the Commissionenr of Indian Affairs, 1865*, p. 280; Debo, *The Rise and Fall of the Choctaw Republic*, p. 92; Abel, *The American Indian Under Reconstruction*, p. 281.

9 Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People* (4 vols., New York: Lewis Historical Publishing Company, Inc., 1929), Vol. I, pp. 375-377; Debo, *The Rise and Fall of the Choctaw Republic*, p. 99.

In analyzing the society of the Choctaws during this period, it becomes evident that the onslaught of white immigration—with a corresponding increase in crime—would eventually undermine and ultimately assimilate the government and economy. It was basically the Choctaw leaders themselves who contributed to this unsound policy. Following the Civil War, they had desired to protect and preserve the national integrity with its distinct institutional framework and, at the same time, restructure the prosperity of their country to the antebellum level. In order to achieve these aspirations, it was necessary to find a substitute labor supply for the dislocation caused by the liberation of the slaves. It was their effort, through the utilization of the permit system, to regulate the white element which they brought among themselves. This policy proved unsuccessful, and the Nation unintentionally accelerated its dissolution.[10]

It was partly due to the unstable and abortive financial structure that the government, for a short time, was impeded in demanding respect for law and order. With the beginning of the Civil War, the Federal government had terminated the payment on the invested funds and, instead, directed them for the welfare of those Choctaws who had maintained their allegiance with the Union. Since the Nation had never initiated a tax system, the only source of revenue became the responsibility of the Confederacy. With the consummation of the alliance treaty, the Southern government began to make payments in specie, but with the depletion of reserves, the practice of issuing depreciated paper was instituted. With the debacle of the Confederacy, the sums of the paper currency in the treasury became worthless. An unknown amount in national warrants was outstanding, and a special form of treasury warrants was unpaid; therefore, it was impossible to compute the Choctaw national debt at the conclusion of the conflict.[11]

The first Assembly of the Presbyterian Church in the Confederate States met at Augusta, Georgia, in December of 1861. A speech by Dr. J. Leighton Wilson spoke of the great work which had been accomplished since 1818, and he strongly recommended that the Assembly assume responsibility for the continuance of the labor in Indian Territory by reappointing all the old missionaries and teachers who were in the field. He also proposed that six new missionaries be assigned. At the Assembly,

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10 Morrison, "Social History of the Choctaw, 1865-1907," pp. 138-139. The permit system basically required non-citizens to secure permits from the Principal Chief. This was necessary before merchant activity could proceed; annual renewal was stipulated. A $1,000 bond and an ad valorem tax of one and one-half percent on the inventory was assessed. This was the same for artisans.

11 Debo, *The Rise and Fall of the Choctaw Republic*, p. 94.

provision was made for opening additional schools, and liberal financial support was promised.[12]

Due to the war, these resolutions were never fully carried out. All able bodied men, including both ministers and laymen, were conscripted into military service. Before 1863, all of Indian Territory except the Choctaw-Chickasaw country had passed into Federal control. Among the Choctaws, religious work was maintained with the recipients of the sermons being comprised almost totally of women, children, and old and infirm men.

Communication with the East was practically cut off and no commissioners from the Indian country attended any Presbyterian Assembly from 1862 to 1866. The meager reports which were received from missionaries near the close of the war indicated the undoing of much of their labors during the long years, and this retrogradation of achievements was not to be overcome for many years.[13]

With the termination of annuity payments and their replacement by an inadequate source of revenue, plus the necessity of increased expenditures for military operation, as well as other facets of war demands, the educational system was forced to suspend operation in 1861. Many of the teachers had either entered the military conflict or evacuated across the Arkansas River. School buildings, which were not destroyed, were either utilized for hospital, governmental or military requirements, or quarters for pathetic refugees who were fleeing in increasing numbers from the North.

Without reiterating the deplorable criminal activities, which existed throughout the entire Nation, it should be observed that in some localities all semblance of established legal procedure had all but vanished, and a state of anarchy was emerging. There is almost a diametrical discrepancy between the previously described deterioration and an observation made by Lieutenant A. W. Whipple in 1853 with regard to the respect for law shown by the inhabitants: "Neither blood-thirstiness, nor cruelity of any kind is characteristic of this tribe. There is no new country upon the frontier where theft and robbery are less frequent—where human life is more sacred. Persons ride alone and un-

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12 William B. Morrison, *The Red Man's Trail* (Richmond: Presbyterian Committee of Publication, 1932), pp. 70-72.

13 Morrison, "Social History of the Choctaw, 1865-1907," p. 45; James Wortham to N. G. Taylor, Fort Smith, Arkansas, October 21, 1867, *Annual Report of the Commissioner of Indian Affairs, 1867*, p. 318; Natalie Morrison Denison, "Missions and Missionaries of the Presbyterian Church, U.S. Among the Choctaws—1866-1907," *Chronicles of Oklahoma*, Vol. XXIV (Winter, 1946-47), p. 427. Choctaw Mission Records reveal that a considerable number of the churches remained without preachers, and it was necessary to train more Indians as mininsters.

armed without fear of molestation, from one end of the Choctaw Nation to the other."[14]

In an endeavor to reestablish the basic structure of civil authority, it was necessary to create a semi-military auxiliary force to provide support for the few and incompetent civil officers. By the end of 1866, this procedure was no longer needed and was repealed on December 15.[15] Wright, in his report to the General Council in the fall of 1867, revealed that every county in the Nation had strengthened its contingent of officers, and the rate of criminal activity was diminishing to some degree, except for the cases of murder which remained approximately the same. These were attributed to transients passing through the country from the United States. However, a report of 1869 revealed an increase in crime which was due in part to the frequent turnover of county officers. Many would resign before their terms were fully served and thus would result in fewer arrests and an inconsistency of policy.[16]

At the request of Chief Wright, the General Council began to initiate new statutes. One was the prohibition of bearing firearms in public places except by civil law enforcement officers; another, as advocated by Wright, affirmed that highway robbery should be punishable by death and should be carried out by hanging—a type of death which was interpreted as being exceedingly degrading to the Choctaws. This attitude, on the part of Wright, dramatized the deplorable trend of change. The Council did not agree with the punishment of hanging for this crime but retained it as a capital punishment. It was to be reserved for the two most heinous offenses which, in the Choctaw's conception, were sodomy and a second conviction for horse stealing.[17]

With relations reestablished with the Federal government, the payment of annuities was again resumed, and a large payment was made on the Leased District.[18] Part of these pay-

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14 Morrison, "Social History of the Choctaw, 1865-1907," p. 175. Without question this is an idealistic and fallacious interpretation but it is significant in that its connotative overtones depict a social existence of order and stability with minimum deviation from the social norms.

15 Folsom, *Constitution and Laws of the Choctaw Nation*, p. 443.

16 Debo, *The Rise and Fall of the Choctaw Republic*, pp. 93-94; Morrison, "Social History of the Choctaw, 1865-1907," p. 176.

17 Morrison, "Social History of the Choctaw, 1865-1907," pp. 176-177; Folsom, *Constitution and Laws of the Choctaw Nation*, pp. 429, 474.

18 The term, Leased District, refers to the western section of the Choctaw land which was ceded to the United States by a provision of the Treaty of 1866. The Choctaws were to be compensated by the sum of $200,000 and retain the freedmen; if they demanded their removal to the ceded land, then this money was to be utilized to aid the freedmen in their reestablishment.

ments, however, were extended in greatly depreciated currency. As financial stabilization began to be achieved, pro rata payments on all warrants that were presented at the time of the semi-annual annuity payments were honored by the National Treasurer. Those warrants which had remained undistributed by the act of October 21, 1862, were authorized for cancellation by the General Council on October 19, 1865. By the year of 1870, the holder of the issued warrants was receiving twenty-eight cents on the dollar and certificates for the balance.[19]

During this period of poor financial condition, it was frequently necessary for the government to borrow, especially in order to defray the expenses of the Council sessions. Generally, arrangements were made by which the lender would cash in his old warrants—usually for the amount of the loan—thus exchanging an old for a new indebtedness. It was a considerable number of years before the financial solvency of the prewar level was obtained.[20]

Statistical information for the year 1867 from all counties except Sans Bois and Wade counties, revealed the following figures: 18,001 horses, mares, and colts, 820 mules, 55 jacks and jennies, 59,210 cattle, 51,424 hogs, and 5,970 sheep. Acres, under cultivation by individuals of the counties, varied from many one and two acre plots to 9,450 acres cultivated by Robert M. Jones. According to the reports on counties making returns, there were a total of 30,000 acres under production which yielded 226 bales of cotton, 803 bushels of oats, 1,011 bushels of wheat, and 211,595 bushels of corn. These figures indicate a very low yield per acre for any crop, as compared with modern standards, and were typical of the poor farming standards universally practiced on the American frontier. "On 1,191 acres only 226 bales of cotton were produced for an average of less than one-fifth bale an acre; on 25,891 acres 213,409 bushels of grain, little more than eight bushels per acre," emphasized James D. Morrison. Whether it was one acre or a thousand acres under production, the average yield appears to be the same. The populace of the Nation was reported to be "more prosperous and showing a greater feeling

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19 Debo, *The Rise and Fall of the Choctaw Republic*, pp. 94-95; Folsom, *Constitution and Laws of the Choctaw Nation*, p. 431.

20 Debo, *The Rise and Fall of the Choctaw Republic*, p. 95. The transaction was generally conducted with the government agreeing with the lender to cash a specified number of outstanding warrants; most were for the amount of the loan. The Nation, by this process, was able to avoid the payment of high interest.

of confidence" than at any other time since the beginning of the postbellum era as indicated in a report of 1869.[21]

The period between 1834 to 1867 may be described as an era in which the Choctaw Nation constructed a constitutional government and enacted a code of laws which were suited to the conditions of a marginal existence. Only a simple system of jurisprudence was demanded for an isolated people who were adapting to a compromise between ancient tribal and Anglo-Saxon customs. It was with the year 1867 that the General Council found it essential to enact laws which would reconcile the Nation's transition to a more complex economic institutional framework of entrepreneur and of industrial and agricultural processes.[22]

In November of 1866, the Council granted Charles Leflore the privilege of establishing a toll bridge, for a ten year period, across the stream of Clear Boggy where the Fort Smith and Boggy Depot road crosses. This permission gave him the right to administer charges on all persons except citizens of the Nation according to the following stipulations: four-wheeled wagon or vehicle drawn by a span of horses, mules or oxen, twenty-five cents and another twenty-five cents for each additional span; twelve and a half cents for each man and horse; for each animal in a drove of horses, mules, cattle, hogs, or sheep, one cent; and for a single horse, mule, or other animal, five cents.[23]

In December, the Council made four additional grants. James D. Davis was given the opportunity of erecting a toll bridge across Middle Boggy near the point where the Fort Smith and Boggy Depot road crosses the stream. Jonathan Nail of the county of Blue, was presented the privilege of building a toll bridge across the Blue River at the crossing of the Boggy and Sherman road. George W. Riddle was also presented the right of constructing a toll bridge across the Fouchmaline stream on the road leading from Fort Smith to Boggy Depot. Conditions under which these were directed were essentially the same as those granted in November.[24]

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21 Morrison, "Social History of the Choctaw, 1865-1907," pp. 145-146; G. T. Olmstead to E. S. Parker, United States Agency for Choctaw and Chickasaw Indians, Boggy Depot, Choctaw Nation. September 21, 1869, *Annual Report of the Commissioner of Indian Affairs, 1869*, pp. 407-408. Agent Olmstead indicated that the crop of oats had been an experimental test and was considered a success. Due to the lack of flour mills, the investment in wheat production was small.

22 Oliver Knight, "Fifty Years of Choctaw Law, 1834 to 1884," *Chronicles of Oklahoma*, Vol. XXXI (Spring, 1953), p. 76.

23 Folsom, *Constitution and Laws of the Choctaw Nation*, p. 435.

24 *Ibid.*, pp. 437. 441-442.

In the same month, Greenwood Thompson was permitted the right to activate construction of a toll gate at the Narrows known as the Limestone Gap on the road leading from Boggy Depot to North Forktown, Creek Nation. He was instructed to grade the earth, level it with gravel, and keep it in good repair. Fees were generally the same as the others. In 1867, the trend continued in which the following received the same kind of grants: Wade H. Hampton, Jack McCurtain, Allen W. Carney, John Wilkin, John James, and David A. Folsom. Other charters permitted the authorization for the construction of waterpowered sawmills such as the one granted to Wilson Jones of Atoka county in 1870.[25]

Railroad development was the topic of thirteen pieces of legislation between 1869 and 1884. The two that were finally constructed through the Nation after 1870 were the Missouri, Kansas and Texas railroad and the St. Louis and San Francisco railroad. Natural resources such as copper, lead, extensive belts of coal, and an abundance of petroleum, were more than adequate but their conservation was given serious consideration at this time. In 1870 all leasing of lands by private individuals was prohibited by the General Council, and the National Agent Law of 1871 provided for the appointment of a national agent to take charge of all leases.[26] Thus one can see the rudimentary stages of a more complex economic structure in these grants of the General Council.

Under the unrelenting influences and pressures of the advancing American frontier—exemplified by the concept of Manifest Destiny—a struggle developed between the conservative and the liberal leaders. The former desired to maintain strict cultural composition while the latter supported by general consensus, recognized that distinct racial existence would inevitably encounter the full impact of these alien forces and thus widely change institutional elements and arrangements. In an effort to prevent full assimulation with the United States, farsighted men in positions of leadership recognized the essence of American education in preparation for the transformation. This interpretation is strengthened by the evidence that no other public policy

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25 Folsom, *Constitution and Laws of the Choctaw Nation*, pp. 440, 454, 461, 463-464, 466, 481.

26 Knight, "Fifty Years of Choctaw Law, 1834 to 1884." *Chronicles of Oklahoma*, Vol. XXXI, p. 81; Julian Fessler, "The Work of the Early Choctaw Legislature," *Chronicles of Oklahoma*, Vol. VI, (Fall, 1928), p. 67. The agent was bonded for $5,000 and required to make quarterly reports to the Principal Chief. It provided that all previous leases should be voided, and that an individual entering into a lease contract at any future date would be subjected to a fine of $1,000.

ever received such careful direction or such consistent support from the General Council.

Probably the most significant sources of educational instruction had been administered by the missionaries of the Presbyterian, Methodist, and Baptist faiths. A prime motivation for the request of missionaries, into the Choctaw region from the perspective of the Indian leaders, was the need for schools. From the missionary point of view, education of the people was necessary as an aid in bringing the people to salvation. With the resumption of classroom operation, missionary supervision became instrumental and indispensable. They had commenced upon their work among the Choctaws with the conviction that their main objective would be directed toward the children. In order to insure and enhance the probability and potentiality of success, they felt the compelling need to remove the students from their conservative home environment and place them in boarding schools, "there to be made 'English in language, civilized in manners, Christian in religion.' " These preparatory measures they felt, were necessary for the reception of the Christian tenets by the mass populace.[27]

By an act of the Council on October 18, 1865, the Principal Chief of the Nation was authorized to appoint three competent persons, one from each district, (Moshulatubbee, Pushmataha, and Apukshunnubee) whose responsibility it was to survey the existing conditions and devise, perfect, and actuate the reestablishment of formal education. With the convening of the commission in January of 1866, an introspective survey was initiated and devoted to formulating a total composite of conditions which were finally presented to the Council in October. By an act of the fall meeting, one day of the session was set aside for the exclusive discussion of the school situation. The two houses of the General Council met in a joint session along with officials of the three districts, the general superintendent of the Choctaw schools, as well as other prominent citizens, and the mass populace in order to engage in a discussion of the commission's findings. The results of these proceedings were incorporated into an act of December 21, which (1) extended the neighborhood schools throughout the Nation; (2) ordered the superintendent and district trustees to establish and maintain schools wherever there were children of proper age; and (3) the renumeration of teachers was set at two dollars a month for each pupil in attendance; also, they were to consult with their

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27 Morrison, "Social History of the Choctaw, 1865-1907," p. 65.

district trustees concerning such matters as subjects to be taught.[28]

In January of 1867 the schools were again reopened for operation after a lapse of five years. About one-third of the teachers were white and the others were Choctaws who had been educated in tribal schools or in the United States. Attendance was irregular because of the extreme poverty of the people, with the children not possessing enough warm clothing; also, the majority of the students labored under the burden of knowing no language except their native speech, and many of the instructors were not properly qualified.[29]

A somewhat satisfactory perspective of the conditions of the neighborhood schools was described by the Choctaw-Chickasaw agent in 1868. He explained that almost all of the schools were in good repair, and the attendance records were generally as good as most of those records in the "enlightened states." However he alluded that the United States should give more aid to the Choctaws in their educational effort. A report by superintendent Forbis LeFlore in 1869, revealed that sixty-nine schools were in operation with a total of 1,847 students. If enough expenditures were available the district trustees could be requested by the citizens of his community to establish a school. Nevertheless LeFlore indicated in this report that many parents' desires were being refused and he was making a plea for more financial aid. His information of 1870 revealed that eighty-four schools were in operation on a reduced budget of $18,886 as compared with $19,369 the previous year. A possible explanation for this inconsistency can seemingly be deduced by the probability that shorter terms were held in 1870. In the fall of 1869 or possibly the year before, the Choctaw governmental policy of supporting a selected group of young students in their educational en-

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[28] Debo, *The Rise and Fall of the Choctaw Republic*, pp. 95-96; Morrison, "Social History of the Choctaw, 1865-1907," pp. 66-67; G. T. Olmstead to E. S. Parker, United States Agency for Choctaw and Chickasaw Indians, Boggy Depot, Choctaw Nation, September 21, 1869, *Annual Report of the Commission of Indian Affairs, 1869*, p. 408; Angie Debo, "Education in the Choctaw Country After the Civil War," *Chronicles of Oklahoma*, Vol. X (Fall, 1932), pp. 383-385. The board of trustees were chosen by a joint ballot of both houses of the General Council for a two year term. Besides directing the neighborhood and boarding schools, they were given discretionary powers in determining those students who would be given an education on public expenditures in the boarding schools and colleges.

[29] Debo, *The Rise and Fall of the Choctaw Republic*, pp. 96-9; Morrison, "Social History of the Choctaw, 1865-1907," p. 69.

deavors in the United States was resumed.[30]

The great impediment to the restoration of the Christian missionary work among the Choctaws, according to the standards of the prewar level, was the insufficient appropriations. The various Protestant churches which had financed these foreign mission programs had become divided during the war and the southern branches which had retained the work among the Choctaw, were impoverished along with the other southern institutions. Under these conditions it was difficult to secure the necessary funds and the required number of men and women to serve.[31]

The decade ending in 1870 had seen the passing of the veterans who had produced a Christian people from the masses of a savage Indian nation. At the close of the war Cyrus Byington relocated himself in Belpre, Ohio, where he had hoped to finish his project of translating the Bible into Choctaw. He died in 1868 before its completion. Ebenezer Hotchkin, another important figure in missionary work, passed away while on a visit to the North. Dr. Cyrus Kingsbury, at the age of eighty-four, expired in the home of his son at Boggy Depot, on June 27, 1870, after fifty-two years of unselfish service among the Indians. He had maintained his work until a few months before his death and was an inspiration to all who had worked with him. Charles C. Copeland, an ordained minister from Vermont, provided several devoted years of service before his death in 1869 at Wheelock. With acquired proficiency after studying the linguistic form of the Choctaw language, he contributed several translations and was instrumental in the establishment of the station at Bennington. Reverend Oliver P. Stark, who was assigned missionary duties at Goodland in 1850 was responsible for erecting the first school in that area. Though his principal field was Goodland, he would ride a fifty-mile circuit along the Red River preaching at numerous points, supervising the schools in that district and carrying a medical case, would administer medical attention. Prior to the war Goodland Church reported over 200

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30 Morrison, "Social History of the Choctaw, 1865-1907," pp. 69-70; Fessler, "The Work of the Early Choctaw Legislature," *Chronicles of Oklahoma*, Vol. VI, pp. 62-63. Expenses for those who were sent were paid out of the general education fund or by a specific appropriation bill. Sums from the general fund would be voted to defray the costs of the parents. The records show that there were many of the same kind of appropriation bills for primary education. In most cases, the governmental revenues used for education were derived from the sale of public buildings.

31 Morrison, *The Red Man's Trail*, pp. 45-46; Denison, "Missions and Missionaries of the Presbyterian Church, U. S., Among the Choctaws—1866-1907," *Chronicles of Oklahoma*, Vol. XXIV, pp. 428-429.

members, but since his work was interrupted and demoralized during the war, he moved his family to Paris, Texas, in 1866.[32]

It is not difficult to visualize the hampered consequences to the ministry with the loss of some of the most influential and dedicated representatives of the Christian gospel. Their services ceased in a period of overwhelming tribulations and these crises were to linger for a darkened period without adequate resources and guidance for challenge and mitigation.

The Council on October 14, 1865, enacted the statute by which the liberated freedmen were to be assimulated into the economic system. The content of the provisions were to be activated the first day of January of the following year. It stipulated that those who desired to remain with their former masters were to negotiate a contract which would be mutually agreeable to both parties. The employer was to assume the position and responsibility as guardian for the care and welfare of the laborer and his family. This agreement was made before the county judge of the locality in which the parties were residing. By the statute the employer was required to cloth the freedman and his family, pay his doctor bills, furnish proper housing and fuel, and provide the compensation previously assented to with wages constituting a first lien on the crop and the property of the plantation. Eight standard levels of wages were structured in a hierarchical system and ranged from two dollars to ten dollars per month according to the class of the particular laborer.[33]

If an individual did not choose to remain with his former master then he was required to engage in an agreement with another person under the previous listed conditions. Wages were to be deducted in the case of sickness or absence without leave, and rations were to be withheld if the person refused to work. The contracts were not necessarily a permanent binding arrangement unless distinctly specified according to section seven which stated: "when the laborer has once entered into a contract, such laborer must abide by it until the crop is gathered." The working day was limited to ten hours in the summer and nine in the winter with Saturday afternoon and Sunday free except when forced labor was necessary to save the crop. The former masters were held responsible for the support of the aged, crippled, and

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[32] Morrison, *The Red Man's Trail*, pp. 74-75; Denison, "Missions and Missionaries of the Presbyterian Church, U. S., Among the Choctaws—1866-1907," *Chronicles of Oklahoma*, Vol. XXIV, pp. 428-431.

[33] Folsom, *Constitution and Laws of the Choctaw Nation*, p. 414; Debo, *The Rise and Fall of the Choctaw Republic*, p. 99.

infirm whom they had held as slaves. The freedmen were provided with civil and criminal protection in the courts equal to that enjoyed by the Choctaw citizens. Those freedmen who departed from the Choctaw Nation were not to be permitted the privilege to return for the purpose of residing. Vagrants who were discovered without an employer were immediately arrested by the sheriffs or the light horsemen, and their services were sold to the highest bidder. These proceeds which were secured were placed in a special fund for the support of any freed person in need of financial assistance.[34]

It was with the various reports of improper treatment of the freedmen that Major General John B. Sanborn, special commissioner, who was designated to guard their interests in Indian Territory, issued proclamations warning the Choctaws that the Negroes were under his protection. A degree of uncertainty prevailed among most of the freedmen concerning their future civil and political status and permanent location. Many felt that they would soon be removed to a particular specified area which would be set aside for their exclusive use. Under the influence of this situation a state of apathy was prevalent, and most were reluctant to improve their unpleasant existence — only expending enough initiative as was absolutely necessary to secure their immediate wants. In the transition from slavery to liberation, old customs remained. Under the previous conditions, the family structure of the Negro slaves as a monogomous entity was usually nonexistent with promiscuity and/or polygamy comprising the general behavior. There were numerous cases of young women possessing many children of mixed blood with no husband to properly provide for their well-being. There was the presence of apprehension among the freedmen for their security and protection under the Choctaw government. Sanborn's report of January 5, 1866, disclosed by assumption the cruel maltreatment being imposed upon the freedmen; however, his report of January 27, after personally visiting the region, discounted the complete validity of the first description while asserting that the prejudices were rapidly passing away and treatment was not as virulent as previously inferred. Though still advocating considerable concessions from the Indians, he generally approved of the manner in which the arrangements between the Choctaw government and the Negroes were being administered.[35]

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[34] Thoburn and Wright, Oklahoma, pp. 375-377; Folsom, *Constitution and Laws of the Choctaw Nation*, p. 429.

[35] James Wortham to N. G. Taylor, Fort Smith, Arkansas, April 5, 1866, *Annual Report of the Commissioner of Indian Affairs, 1866*, pp. 56, 283-287; Abel, *The American Indian Under Reconstruction*, pp. 290-292.

In the five-year period of postwar reconstruction, the conquered and discouraged Choctaws made only a minimum of material and educational progress. The overall vista should be described as a period of disorganization in which the inhabitants struggled to overcome feelings of despair so as to respond effectively to the challenges which were presented by the American Civil War. For a nation which had encountered the unrelenting pressures of Manifest Destiny from its inception, there was disagreement between conservative and liberal leaders as to the proper policy necessary to meet the dilemma. Since the war increased the surge of white expansion, the insolvable desires of the conservative faction became anachronistic, and the liberal leaders gained the support of the general populace.

For a period following the termination of conflict, general apathy among the Choctaws was an obstacle which encumbered the reconstructive process. The impact of the war with its civil disorder, created a disconcerted people and thus threatened to undermine programs for redevelopment of the educational, economic, and religious institutions. Any social structure which is pressured toward a more complex stratification may become confronted with the problem of an increase in criminal activity. Out of necessity, political leaders must initiate more statutes which place greater constriction on individual freedom. Under the influence of this denaturalization and in the presence of inadequate law enforcement there is a tendency by an increasing number to repudiate legal sanctions. Thus disobedience of normative confines results in a detriment to the welfare of the total social community. In this situation there is the recognition of a paradox: with the introduction of a larger number of laws, more people experience a propensity toward criminal behavior.

However, despite the discouraging and difficult tribulations encountered in this era, veneration for the past, with its honor and pride, stimulated a proud people to express their inner resources and latent ingenuity in an illusory attempt to restructure and strengthen their nation to effectively counter the expansive United States. This is shown in the passage of laws concerning enterprising, educational, and industrial processes.

In an objective and analytic perspective, the impact of the Civil War was a turning point in the extended period of transition during which tribal customs were gradually taken over by Anglo-Saxon cultural patterns. The aftermath of conflict increased white immigration, and alien attitudes necessitated the restructure of governmental statutes and widely modified social

and economic institutions. Therefore, the significance of the five-year reconstructive period lies in the fact that it marked the beginning of an increased internalization of the white man's culture with gravitation toward the ultimate and unavoidable assimilation.

PETER P. PITCHLYNN
Principal Chief of the Choctaw Nation
1864-1866

ALLEN WRIGHT
Principal Chief of the Choctaw Nation
1866-1870

"ROOST ROBBERS" AND "NETTERS": PIGEONERS IN THE INDIAN TERRITORY

*By Daniel F. Littlefield, Jr.**

The name of *Ectopistes migratorius* means very little to most Americans today, and of those who recognize his name, only a few can remember having seen him. He was a greyish-blue bird with russet throat and white abdomen, much sought after for sport and profit in the Nineteenth Century. It is not likely that the men who sought him knew his scientific name. They knew him rather as the Wild or Passenger Pigeon. He is now extinct. Yet in 1832 at Frankfort, Kentucky, ornithologist Alexander Wilson estimated *one flock* that he observed to number about 2,230,272,000—a conservative estimate according to one authority.[1] During the last fifty years of the Nineteenth Century, his numbers were reduced from millions to just a few. By 1910 the only known live members of the species were in captivity, and for the next three years rewards totalling over $1,000 were offered for proof that he still lived in the wild state.[2] In 1914 the last of his kind died at the Cincinnati Zoo.

From 1870 to 1900 the Indian Territory remained one of the few haunts of the Wild Pigeon. In fact, in 1886 it was reported that "only two droves are known to exist in the United States, one in Pennsylvania and one in Indian Territory."[3] There is scarce evidence in this area of when and where the pigeons located their roosts. One of the largest was located in Goingsnake District, Cherokee Nation, near Chance on the Barron Fork River from the time of the Civil War until 1873.[4] The next year the main roost had moved to Hildebrand's Hill on Cow Creek,[5]

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1 Charles Wendell Townsend, "Passenger Pigeon," in Arthur Cleveland Bent, *Life Histories of North American Gallinaceous Birds* (New York: Dover Publications, Inc., 1963), p. 390.

2 *Ibid.*, p. 379.

3 "Minor Ornithological Publications," *The Auk*, Vol. V (July, 1888), p. 314; quoting *American Field*, No. 18 (October 30, 1886), p. 415

4 Frederick S. Barde, *Field, Forest, and Stream in Oklahoma*, Annual Report of the State Game and Fish Warden (Guthrie: Co-Operative Publishing Co., 1912), p. 111; William Wolfe, Interview, *Indian-Pioneer History*, Indian Archives, Oklahoma Historical Society, Vol. XI, p. 527. Further citations from this collection are also interviews and are cited simply as *Indian-Pioneer History*. William Jones, *Indian-Pioneer History*, Vol. XXXI, p. 446; J. T. Parks, *Indian-Pioneer History*, vol. XXXIX, p. 93; S. W. Ross, *Indian-Pioneer History*, Vol XLIII, p. 95.

5 Barde, *Field, Forest, and Stream in Oklahoma*, p. 111.

although the roost at the old site probably continued. A large roost occurred in Choctaw County on Ten Mile Creek in the winter of 1878-79.[6] In 1879 there were others on Sallisaw and Lee creeks as well as "south of the Arkansas River, where millions of wild pigeons flock by night. . ."[7] In that same year there was a roost covering forty acres some fifty miles southwest of Joplin, Missouri.[8] Also, a roost in the 1870's was reported southwest of Ft. Gibson.[9] In 1881 a nesting was reported in the Pottawatomi Reservation about one hundred and ten miles northwest of Atoka.[10] Then in 1886 there was a flock of millions near Purcell.[11] Another roost, the date of which is unknown, was located on Fourteen Mile Creek near the present town of Boatman, in present Mayes County.[12] There were others each year, but they are lost to history.

By the 1890's these flocks of millions had dwindled to flocks of a few dozen. Some of the last were seen near the town of Welling in Cherokee County.[13] The peculiar historical circumstances that had made Indian Territory a sanctuary for the Wild Pigeon no longer existed, and his extermination, which had started in the Eastern states, was finished here. The story of that extermination went as follows. For centuries the Indians had used him as a food supply, killing only what game they could use. This was apparently true in the Indian Territory.[14] But such was not the case with the white man. He pursued the pigeon for profit. He captured the birds and shipped them in crates or killed them and shipped them, packed in barrels, to the poultry markets in the cities. But it was only after railroads made possible rapid transportation of goods that he could do it, since this particular product was perishable. And so began the extermination of a species that gave rise to a short-lived but profitable occupation pursued by men called "pigeoners," "netters," or "roost robbers." They were late in coming to the Indian Territory because the

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6 Liberty R. Dennis, *Indian-Pioneer History*, vol. LXXIX, pp. 336-337. (The location of this pigeon roost was some miles northwest of present Antlers in Pushmataha County.)

7 Theodora R. Jenness, "The Indian Territory," *The Atlantic Monthly*, Vol. XLIII (April, 1879), p. 446.

8 *The Cherokee Advocate*, January 18, 1879, p. 2, vol. 3.

9 Alex Sykes, *Indian-Pioneer History*, Vol. X, p. 262.

10 W. P. Thomas, New York *Sun*, June 14, 1881, quoted in A. W. Schorger, *The Passenger Pigeon: Its Natural History and Extinction* (Madison: The University of Wisconsin Press, 1955), p. 265.

11 Lewis C. Wantland, *Indian-Pioneer History*, Vol. XCV, p. 329.

12 Felix Barney, *Indian-Pioneer History*, Vol. LXX, p. 158.

13 *Indian-Pioneer History*, Vol. XLIII, p. 98.

14 *Indian-Pioneer History*, Vol. VI, p. 393; *Indian-Pioneer History*, Vol. XXXII, pp. 5-6.

railroads came late. The Missouri, Kansas & Texas Railroad was built across the Territory in 1871-72, and the Atlantic and Pacific junctioned with it at Vinita in 1872. It was nearly a decade and a half before any more railway lines were to enter the Territory.[15] Unfortunately, with the coming of the railroads, the pigeoners could ply their trade uninterrupted.

It was the habits of the pigeons that made them so vulnerable to the pigeoners. The birds flew low, in flocks of millions. Before they could be seen, they were heard, like thunder approaching.[16] They blocked out the sky and hid the sun.[17] It was possible for men with shotguns to bring down several birds with each shot. Fowling, however, was generally left to sportsmen or men securing game for their own tables. Guns were often unnecessary in order to kill the birds during flight because they flew just above the tree tops. One Cherokee told that during his childhood in the 1860's he and some companions once hid on a ridge, waiting for the birds to fly overhead. The boys had hickory clubs which they threw into the flight. 'The pigeons nearest at hand, startled by the suddenness of the attack, sought to turn aside, which instantly caused a blockade, so swiftly were the other pigeons following. At this struggling mass of birds the boys hurled their clubs and brought down large numbers."[18] Such occurrences were possible because scientists agree that they flew at nearly sixty miles an hour. Perhaps that is why sharpshooters had trouble hitting them at the first fair in Vinita (1888) where they were used as targets in a shooting match.[19] When a flock alighted, they did so in such numbers that they dropped onto each other's backs and bent the branches which broke, causing the trees in many cases to be stripped of their limbs.[20] At the site of the roost in Choctaw County, even as late as the 1930's, the limbs on all the trees bent toward the ground.[21]

The feeding habits of the pigeon made him easy prey for the netters who had numerous devices with which to capture or kill him. Some used upright nets into which the birds flew, but most of them placed nets of various sizes on the ground, baited them with some sort of grain, and when the birds moved

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15 Joseph B. Thoburn, *A Standard History of Oklahoma* (New York: The American History Society, 1916), Vol. I, p. 435.

16 *Indian-Pioneer History*, Vol. XLIII, p. 96.

17 *Indian-Pioneer History*, VI, 393; *Indian-Pioneer History*, VIII, 64; *Indian-Pioneer History*, Vol. XIX, p. 373.

18 *Field, Forest, and Stream in Oklahoma*, p. 111.

19 *Indian-Pioneer History*, Vol. XXI, p. 52.

20 *Field, Forest, and Stream in Oklahoma*, p. 110; *Indian-Pioneer History*, Vol. XLIII, p. 95; *Indian-Pioneer History*, Vol. VI, p. 393; *Indian-Pioneer History*, Vol. LXXIX, pp. 336-337.

21 *Indian-Pioneer History*, Vol. LXXIX, p. 337.

onto them, sprang the nets by means of ropes, springs, or other mechanisms. Flocks were lured to the area of the nets by means of what they called a "stool pigeon," a tamed pigeon tied to the end of a long pole. The pole was pushed up and down now and then so that the "stool pigeon" would flutter his wings, appearing to the flock as if he were alighting.[22]

John Bradbury, an early traveller in the United States, noted that when feeding, a flock would sometimes completely cover the surface of several acres and move in a phalanx formation, the last ranks periodically flying over the flock to the front.[23] When such a flock moved over the nets, it was possible to capture thousands of the birds in a day's time. Similar techniques were used by men who built large cages with doors on top. The cages were baited and supplied with two or three "stool pigeons." Using these methods, pigeoners caught and shipped countless pigeons from the Indian Territory.[24]

Most destruction, however, was done by roost robbers at the areas where the birds nested or roosted after feeding during the day. Thousands of pigeons were killed at the roosts in the Indian Territory each year.[25] One method of killing them was to go to the roost at night and throw rocks or clubs at the birds in the trees.[26] Another popular method was to knock the birds from the trees with long poles. Such a method was particularly disastrous at nestings. Roosts for nestings have been known to cover an area several miles wide and up to forty miles long. Many trees within that area could have as many as a hundred nests in them.[27] So when the roost robbers came with their poles, along with the adult birds would fall the eggs or the young. If the young escaped the poles, they died from the loss of their parent birds. As a result, the mortality rate of the Passenger Pigeon was evidently often twice that of the number of birds marketed.

Little evidence exists by which to estimate the number of pigeons taken in the Indian Territory from 1870 to 1900, but the following sketches seem to indicate that it was great. In

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22 Townsend, "Passenger Pigeon," *op. cit.*, p. 397.

23 John Bradbury, *Travels in the Interior of America in the Years 1809, 1810, 1811*, in Reuben Gold Thwaites, *Early Western Travels 1748-1846* (Cleveland: The Arthur H. Clark Company, 1904). Vol. pp. 68-69.

24 *Indian-Pioneer History*, Vol. XC, p. 473; *Indian-Pioneer History*, Vol. XLIII, p. 96.

25 *Indian-Pioneer History*, Vol. I, p. 31; *Indian-Pioneer History*, Vol. XI, p. 527.

26 *Field, Forest, and Stream in Oklahoma*, p. 111; Ross, *Indian-Pioneer History*, Vol. XLIII, p. 95.

27 Townsend, "Passenger Pigeon," *op. cit.*, p. 384.

1874 one man hauled two wagonloads from Hildebrand's Hill to Vinita for shipment to market.[28] A traveller in 1879 saw "at a little station in the Territory . . . upon a wareroom floor four thousand pigeons, which were being packed for freightage to St. Louis and New York."[29] Even in 1887, when the pigeon's numbers were rapidly decreasing, he was still captured daily by the thousands. In Goingsnake District, Cherokee Nation, four men made a bet on who could catch the most pigeons in one day. One team killed 1,000 and the other 1,005.[30] Certainly these scenes were repeated throughout the Territory, year after year, until the Passenger Pigeon was a part of history. That same traveller also stated that "Many hunters despise the 'roost robbers' and condemn their wholesale slaughter but those who practice it say that there is no perceptible decrease in the number of pigeons from year to year."[31] In fact, the pigeons were so numerous "that the majority of the people believed that they would exist for an indefinite period of the future."[32] Yet less than fifty years later the Passenger Pigeon was extinct!

Roost robbing was a short-lived occupation in the Indian Territory. It came with the railroads in the 1870's and was gone before 1900. But it was lucrative while it lasted. In 1879, the four thousand pigeons at the "little station in the Territory" could have brought as much as fifty to sixty cents per dozen at the market. In that same year pigeons brought, in some markets, thirty-five to forty cents per dozen at the nestings, and live pigeons brought one to two dollars per dozen.[33] They later brought as much as one dollar per dozen at the roosts.[34] Some pigeoners marketed their products locally,[35] and others shipped them north and east from points along the railroad. Most of the business, however, seems to have been conducted by representatives of firms outside of the Territory. Most of them came from Arkansas. They stayed in the woods, buying pigeons from the Indians; they then sold them at Siloam Springs and other Arkansas towns for at least a dollar more per dozen than they had paid the Indians.[36] From those towns they were shipped to Kansas City and points east. Some firms such as N. W. Judy

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28 Barde, *Field, Forest, and Stream in Oklahoma*, p. 111.

29 Jenness, "The Indian Territory," *op. cit.*, p. 446.

30 *Indian-Pioneer History*, Vol. LXXXVI, p. 410.

31 Jenness, "The Indian Territory," *op. cit.*, p. 446.

32 Ross, *Indian-Pioneer History*, Vol. XLIII, p. 96.

33 Townsend, "Passenger Pigeon," *op. cit.*, p. 398.

34 *Indian-Pioneer History*, Vol. XXXIX, p. 127.

35 *Indian-Pioneer History*, Vol. XCV, p. 329.

36 *Indian-Pioneer History*, Vol. XXXIX, p. 127; *Indian-Pioneer History*, Vol. XI, p. 527; *Indian-Pioneer History*, Vol. I, p. 31.

& Co., St. Louis, had netters that each year followed the pigeons throughout the South and the entire midwest, including Indian Territory.[37] In 1895 ornithologist Ruthven Deane wrote to that firm, inquiring about the Passenger Pigeon. The firm had received no Wild Pigeons for two seasons, the last coming from Siloam Springs. It had lost all track of the pigeons, and its netters were idle.[38] In 1892 and 1893 several hundred dozens of pigeons had been shipped from the Indian Territory to New York and Boston. Those were "the last records we have of the Passenger Pigeon as anything more than a casual migrant."[39]

So one of the final chapters in the life history of *Ectopistes migratorius* seems to have been written in the Indian Territory. But the ignominy is greater because that writing was delayed only because man could not profitably pursue the pigeon and satisfy his avarice until the railroads came. Once that happened, he set about methodically, though not purposely, to help destroy a species. The Indians regretted the Wild Pigeon's passing. The Cherokees expressed it this way:

> God sent a great storm and gathered all these birds up and blew them all into the sea and drowned them all and the reason for his doing this was, that God had prepared this great number of birds just for food for the Indians and when he saw that the white man was starting to kill them he did this thing. This is why the pigeons all disappeared at one time and were not killed out as the deer were.[40]

And for this disappearance the roost robbers, too, must have had regret—not for having exterminated the pigeon, but for the fact that extinction was to put him forever beyond their reach.

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[37] Otto Widmann, *A Preliminary Catalog of the Birds of Missouri* (St. Louis, 1907), cited in Townsend, "Passenger Pigeon," p. 399.

[38] Ruthven Deane, "Additional Records of the Passenger Pigeon in Illinois and Indiana," *The Auk*, Vol. XII (July 1895), p. 298.

[39] "Fleming on the Disappearance of the Passenger Pigeon," *The Auk*, Vol. XXIV (July 1907), p. 357.

[40] *Indian-Pioneer History*, Vol. XXXII, pp. 5-6; a similar myth appears in *Indian-Pioneer History*, Vol. LXXXVI, p. 410.

GHOST TOWN: McGEE, INDIAN TERRITORY

*By Charles W. Mooney**

Out of the mist and shadows of the almost forgotten past, most of the characters have been resurrected that once made up the little town of "McGee, I. T."[1] The town was located north of present Stratford, Oklahoma. Although the total population was less than one hundred within a mile radius of McGee in 1900, it was a proud town and made a gallant attempt to survive in the land of the Chickasaw Nation. It might have been alive today with its roots deep in the rich, black prairie soil of present Garvin County if some railroad agents had not demanded the payment of $3,000 from the storekeepers of McGee for the railroad line to come through town.[2] Today, McGee is a ghost town, surviving only in memory without a single reminder to give evidence of its existence, except the mute witness of the old McGee Cemetery at the southeast edge of the place where the town once thrived.

William Wallace "Wally" McGee was the town's founder and namesake, not "Walter McGee" which has been erroneously quoted. He first came here as a lad of eighteen back in 1885 when he trapped for a living in Indian Territory.[3] In 1891, he opened the first business in the then embryo town, his blacksmith shop adjoining his log cabin home. He had learned his trade before coming to the wind swept prairies of Oklahoma. Wally McGee was a tall, thin, clean-shaven white man and was married and had two children. Soon after he opened his blacksmith shop in 1891, W. J. Long built the first store in town, about 150 yards south of the McGee house and blacksmith shop. The new store had a big sign on the front: "W. J. Long—Dry Goods, Groceries Provisions."[4] Long sold the "Springfield" make of wagons, and had one pound cans of *Black Beauty* brand of axle grease for sale. Early in 1892, Wally McGee expanded his business interests by opening a sawmill, and soon afterward, he built the first cotton gin in McGee. He operated both the sawmill and the gin on his 40 H.P. steam engine, using water from a nearby pond formed from rains during the year. After several seasons,

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*Charles W. Mooney, Lieut. Col., U.S.A. (Ret.), of Midwest City, Oklahoma, contributes this story of McGee, his father's boyhood home.—Ed.

1 McGee is shown in the SW¼ of Sec. 12, T. 4 N, R. 3 E., Garvin County, Highway map, 1959.

2 Arthur Watts interview, Stratford, Oklahoma, 1968.

3 Mooney Family History in the hands of the author.

4 Watts interview, 1968.

Mr. W. W. McGee moved to Avoca in Pottawatomie County, two miles north of present Asher, Oklahoma, where his brother Tom McGee operated a cotton gin.

The third business in the town of McGee was the post office which had opened on April 15, 1891. It was located in the rear of W. J. Long's store, with *Joe Moad* (not *Wm. G. Mood*) as postmaster.[5] Joe's left hand was amputated at the wrist. He would "bunch" a stack of letters in the crook of his left elbow, then thumb through, sort, and alphabetize them with his good right hand. Joe Moad was killed in 1897, by unknown outlaws who shot at him through the back door of the store while they were attempting to burglarize the place.

Dr. Jesse Mooney (born 1866, died 1915) came to McGee in March, 1892, in a covered wagon from Washington County, Arkansas, with his wife and three small children.[6] He put his sign on a stake beside his covered wagon — his temporary home — "Dr. J. Mooney." He soon constructed a dugout for his family in the southwest part of the new town, as the confines of the covered wagon were too crowded for comfort. He also built the first drug store in town, about fifty feet west of Long's store, out of rough oak lumber from the McGee sawmill. The drug store was the fourth business in McGee. The Mooneys likewise made the fourth family here. The first baby born in the town was Nina Olivia ("Ollye") Mooney, born May 22, 1892, the daughter of Dr. Jesse Mooney and Ella Mooney. This daughter married a man by the name of "Trout," and now lives in Shawnee, Oklahoma.[7]

On September 9, 1892, Dr. Mooney drove 45 miles in his buggy and took four pupils to the first enrollment at the University of Oklahoma, then returned the 45 miles to McGee the same day — 90 miles in a buggy in one day![8] He drove his familiar, stalwart team of white horses, which were well known in his community.

Five years later in February of 1897, Dr. Mooney was sent for by a military escort from Fort Sill to go there and attend the seriously ill Geronimo, the old Apache war chief, and his three children, all deathly ill with double pneumonia. The old chief had refused the services of the military doctors at the Fort.

In August, 1896, Dr. Mooney had made medical history in Oklahoma by performing the first known operation of Ceasarian

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5 Belle McCary interview, Lawton, Oklahoma, 1968.
6 Mooney Family History.
7 *Ibid.*
8 *Ibid.*

section in this region, using a kitchen table as his operating table in a dugout nine miles west of McGee. His only assistant was the frantic though brave little husband of the pioneer family. Both the baby and the mother survived![9]

On February 3, 1894, J. A. Harris (born 1865 in Tennessee) came to McGee and soon opened a general outfitting store (fifth store in town) across the street north of the drug store. Harris sold the "Springfield" make of wagons in his store. A few months later he built the two-story frame hotel — called the Harris Hotel. This was built next to the store, and was the sixth business in town. His father, Lafayette Harris was a Confederate Civil War veteran. J. A. Harris had formerly been in business at Timpson, Texas, for five years. He had also been a travelling salesman in California and in New York, and in Santa Point, Idaho. Several years later, he had branch stores at nearby Francis, Indian Territory, and at Sacred Heart, Oklahoma Territory. He was appointed postmaster at McGee on March 3, 1901. He was a member of Woodmen of the World Lodge, and Crescent Lodge #15, Knights of Pythias.[10] His first wife was buried in the McGee cemetery. The first tombstone there stood at her grave, and was a monument nine feet tall, marked "Martha Donna Harris." Harris later married Ruth Richards, one of Sam Richards daughters.[11]

In the summer of 1893, Andy Thomas opened the seventh business in town — a second blacksmith shop. Thomas died two years later in 1895, and had a graveside Masonic burial.[12]

In 1895, the Lee and Goodwin store was opened as the eighth business, with W. V. Goodwin and his brother-in-law, Sam Lee as partners, specializing in groceries and hardware. They handled the "Bain" make of wagons. They had both married sisters, daughters of Sam Richards who came to McGee in 1893 and bought half interest in Dr. Mooney's drug store.[13]

Oswald Williams opened the second cotton gin in McGee in 1896 (the ninth business), and had a grist mill. He had the latest type 50 H.P. steam engine, each stand having 70 saws that could gin the incredible total of 20 bales of cotton a day! He died in 1899. Henry J. Watts (born 1847, died 1929) then bought the business. Watts had farmed for three years north

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9 Indian Territory Medical Association records.

10 *Indian Territory: Descriptive, Biographical, Genealogical.* (By D. C. Gideon. New York and Chicago, 1901.)

11 Arthur Watts interview.

12 *Ibid.*

13 *Ibid.*

of McGee, coming from near Burnett, Pottawatomie County, Oklahoma Territory, where in 1893 he had opened the first cotton gin in the history of that county. His son, Arthur Watts later owned the gin in McGee. He also owned a gin for many years in Stratford where he now lives.[14]

The first school in McGee was a subscription school held for three months in the summer in a brush arbor, with logs used for seats. John A. Walker (born 1866) was the first school teacher.[15] Among the pupils using the then new "Baldwin" readers, were Dave Hybarger and A. T. Reeves.[16] The teacher later was Dr. J. A. Walker, of Burnette and Shawnee, Oklahoma. Walker studied the medical books of Dr. J. Mooney, his preceptor before going to medical school.

In 1896, the first frame schoolhouse was built, the tenth business in town. Mrs. Nathe Pence was the second teacher in 1893, and Ella C. Mooney, the third teacher in 1894 (wife of Dr. J. Mooney). Mrs. McFall was the teacher in 1896. Later, a Mr. Key was the teacher. Willie Wilcoxson was a pupil in 1894, Mrs. Mooney's class. He married Dave Hyden's daughter, and many years later was a teacher himself at "Old Sandy" country school. Years later he was a Baptist preacher. His children were Ray, S. W. (Buddy), and Vivian Wilcoxson.

The Missionary Baptist Church was built in 1896, eleventh business in town. Soon thereafter the Methodists built their church with Preacher Sherwood as Pastor. This church (twelfth business) was a two-story frame building. with the Woodmen of the World Lodge occupying the upstairs portion.[17]

Dr. J. N. Morris (born 1867) came to McGee in the fall of 1897, three months after Dr. Mooney had moved to Moral, Oklahoma Territory. Dr. A. H. "Gus" Shi had moved to town the year before as a partner for Dr. Mooney. A year later, Dr. Norris bought the Mooney-Richards drugstore. He married Miss Maggie J. Byars of Johnstonville, Indian Territory in 1898[18] He later manufactured and sold his "Chickasaw Chill Cure," an old prescription from Dr. Mooney on file in the drug store. This medicine was formerly called "Hell up the Creek," because it was so bitter with quinine and other compounds.

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14 *Ibid.*

15 *A History of the State of Oklahoma.* Luther B. Hill. (Chicago and New York, 1909.)

16 A. T. Reeves, interview, Shawnee, Oklahoma, 1968.

17 Mooney Family History and Arthur Watts interview.

18 *Indian Territory: . . . op. cit.*

McGee Masonic Lodge #94 was installed in 1896 (the thirteenth business) in the hall built as a second story over the W. J. Long store. Sam Richards was the first Worshipful Master and W. J. Long was the Secretary.[19]

Buttram, G. R. Sanford and Thorne, formerly farmers near McGee ran a store in town from 1898 to 1904 (fourteenth business). A. Y. "Yoke" Griffin, his brother, Fred, and their father opened a store in 1899 (fifteenth business).[20] Some years later, "Yoke" Griffin was shot and killed by Dr. J. N. Norris who was never prosecuted for the fatal shooting. Reportedly, he was "defending the honor and sanctity of his home and fireside."[21]

Dr. H. C. Laird came to McGee in 1898, from Skullyville over in the Choctaw Nation, Indian Territory. He had his office in the Harris Hotel. A Dr. Cullum also came to McGee in 1898. Dr. Laird later moved on to Pauls Valley.

A number of businesses opened up in quick succession before the town broke up and the buildings were moved away in 1907. A barber shop opened up in 1899 (sixteenth business), by a man named McCombs. A general merchandize store (seventeenth business) was opened in the same year by A. C. Cromer, who sold the "Studebaker" make of wagons. The *First Bank* of McGee opened in 1903 (eighteenth business), with Jess T. Eldridge as president and a Mr. Smith as cashier. A. C. Cromer's brother-in-law, named King opened a store (nineteenth business) next to Cromer's in 1903. A pool hall opened about this same time (twentieth business). The last business opened in town was the Houston Byford store in 1905. Ironically, of all the stores, there never was a brick or stone building erected in McGee.[22]

There were a number of prominent men and their families who lived in the vicinity of McGee during its lifetime. Adolphus M. Jackson, a well known rancher and farmer, came to the Indian Territory from Texas in 1881. His home was on a 1,500 acre farm about a half mile east of McGee, his pastures including an additional 4,000 acres. Jackson had married Sally Hyden, daughter of Samuel Hyden in 1870.[23]

Hyden Brothers & Hart had bought out the W. J. Long store in 1899. Long moved to Pauls Valley and opened a bank

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19 Arthur Watts interview.

20 *Indian Territory*: . . . *op. cit.*

21 Arthur Watts interview.

22 *Ibid.*

23 *Indian Territory*: . . . *op. cit.*

there. Whit Hyden (born 1845) was a Confederate veteran from the Civil War, during which he was one of Wm. Quantrill's guerilla band for a time. Whit Hyden had formerly had a store in Jimtown, another in Ardmore and in Davis at different times. He owned 1,800 acres of land near McGee. His brother, Dave M. Hyden (born 1856) had come to the Indian Territory in 1895, from Texas. In later years, Whit Hyden served as a government surveyor, and laid out the town of Lawton in 1901. He was still later a Deputy U. S. Marshal. The two brothers were the sons of Samuel Hyden, a native of Massachusetts, part Choctaw Indian by blood, and their mother was a white woman, Nancy Lockhart of Virginia.[24] Whit Hyden received an allotment of land at the time of allotment of Choctaw lands but his brother, Dave received none. The two brothers applied for their Choctaw land rights at different allotment offices. This was a disadvantage to Dave who could not prove up his rights satisfactorily. Both the Hyden brothers became members of the McGee Masonic Lodge #94.[25]

C. L. "Loss" Hart, the third member of the Hyden Brothers & Hart firm, had been a well known, fearless Deputy U. S. Marshal for eleven years, and had killed the notorious outlaw Bill Dalton in 1894. Hart wore a long droopy, handlebar mustache. He had miraculously recovered from a bad case of smallpox in 1897. He had arrived in the Indian Territory in 1879, and had a blacksmith shop at Burneyville, Indian Territory, near Red River.[26]

Samuel Richards (born 1842 in Missouri) came to McGee in 1893, and bought a half interest in Dr. J. Mooney's drugstore. Richards was a Confederate veteran from Arkansas who had been shot in the neck during the Civil War but the bullet was never extracted. He was also later wounded in the left leg. After the War, he was a merchant at Phelps, Missouri for several years, then moved to Lookwood, and later, to McGee in 1893. He had been a Justice of the Peace in Missouri, and in McGee, he served as Mayor. At the turn of the century, he had been a Mason for thirty-six years. Sam Richards, affectionately known as "Dad" Richards, was the father of twelve children.[27] He was the grandfather of Watt, Gordon and Don Richards, present Shawnee druggists.

Dr. Augustine Shi (born 1834, died 1900) came to McGee from Florida, after two of his sons—both doctors—had settled

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[24] *Ibid.*
[25] S. M. Wilcoxson interview, Shawnee, Oklahoma.
[26] *Indian Territory*: . . . *op. cit.* And Belle McCary interview.
[27] *Ibid.*

in the town. Dr. Pat Shi, one of the sons, soon left McGee and settled in Blanchard, Oklahoma Territory. The other son, Dr. A. H. "Gus" Shi, Jr. (born 1873, died 1967) eventually was the champion of all the doctors in this part of Oklahoma. He practicer medicine the *incredible total of 69 years in McGee and adjoining Stratford!* He married Bessie Jackson, daughter of A. M. Jackson, and raised a family in the adjoining community of Stratford. Two other Shi brothers, Cap and Buck, came to McGee and bought out the W. W. McGee cotton gin.[28]

George Lewis Wilcoxson, a rancher who raised fine horses, lived two and a half miles west of McGee. He also owned and operated a carrousel pulled by a mule in a traveling carnival during the season. His daughter, Belle (sister of Willie Wilcoxson) married Dan McCary in 1893 when she was only fifteen. The couple was married in the Wilcoxson home by H. G. Drury, Baptist circuit rider preacher.[29] (She was living in 1968, at the age of ninety years in a rest home at Lawton!) McCary clerked in the J. A. Harris store, and was later a manager of the branch store at Sacred Heart in Pottawatomie County, Oklahoma Territory.[30]

Mose M. Ledford, a prominent rancher and farmer, was the father-in-law of Loss Hart. Ledford was the head of the McGee Lodge of Woodmen of the World, and many years later was postmaster of McGee. Clayton and Greenwood Mooney, brothers of Dr. J. Mooney, moved to McGee in 1895 from Baxter County, Arkansas. Both brothers farmed east of town. Clayton at the age of fourteen had joined the Confederate Army with his father, in 1862. D. W. Moody farmed north of town in the sandy land country, and was a part time Baptist preacher. John G. Harris was a farmer, and belonged to the McGee Masonic Lodge. Wm. N. Kennedy was another farmer, and belonged to the Woodmen of the World Lodge.[31] Jim Hybarger and Jesse Reeves were partners in the cattle business ten miles west of McGee, in 1893.[32] Walter P. Hamilton was a druggist for Dr. Norris. Joseph Burch came to Indian Territory in 1877, and more than twenty years later, he lived near McGee and was a member of the Masonic Lodge there.[33]

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28 Arthur Watts interview; and tombstone inscription in McGee Cemetery.

29 Arthur Watts interview.

30 Belle McCary interview.

31 Mooney Family History, Arthur Watts interview, and tombstone inscription McGee Cemetery.

32 A. T. Reeves interview.

33 *Indian Territory: . . . op. cit.*

When the Frisco Railway failed to come through McGee, a new town called Stratford started on the railroad two miles south of McGee. Stratford post office was established on October 23, 1906, with Mose Ledford as postmaster.[34] In a period of only a few months, the entire town of McGee moved over to Stratford: houses, stores, every building, lock, stock, and barrel! It was the demise of a brave little town, and the birth of its successor. House movers made huge wheels from three foot sections of giant sycamore trees near the Canadian River. Using these huge wheels on a windlass type of apparatus with teams of horses going around in circles, the buildings were pulled slowly to new locations at Stratford.[35]

After only sixteen years of existence, McGee died where once verdant blue stem grass had grown shoulder high on the wind swept prairie in the Chickasaw Nation. Where McGee was located and lived is now only a nostalgic memory out of the past that is fast vanishing by the demise of its last survivors. McGee today has been a ghost town for over sixty years.

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[34] George H. Shirk, *Oklahoma Place Names* (Norman, 1967).
[35] Arthur Watts interview.

OKLAHOMA AND THE PARKING METER

*By LeRoy H. Fischer and Robert E. Smith**

When motorists drove to the downtown area of Oklahoma City on July 16, 1935, they noticed strange looking devices mounted on the curbs. They found that these new machines, known as parking meters, were designed to record their parking time for a fee.

Public reaction was immediate. Some motorists were outraged and expressed their feelings vocally, while others breathed a sigh of relief that at long last something was being done about the parking problem. A third segment of the population was noncommittal and adopted a wait-and-see attitude. At the same time the ever-present publicity seekers had their day. Two couples set up a folding table and four chairs in a parking space and, after depositing a nickel, played a rubber of bridge. A local rancher used a parking meter as a hitching post and justified his action by explaining that it was less expensive than a livery stable. While the complainers and attention grabbers treated the public to a circus, few individuals comprehended the significance of the world's first installation of parking meters in Oklahoma City, and the story of the development of the device remained obscure in spite of the glare of nationwide publicity.[1]

The appearance of the parking meter was a result of many divergent factors culminating in the need for such an invention and its use. The parking meter would never have been necessary had parking not been the unproductive part of travel. Although it is necessary to park automobiles, parking constitutes a nuisance to others attempting to travel in congested areas.

As long as the means of transportation remained totally animal-drawn, the cities of the United States were usually able

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This is the second article on the history of Oklahoma's unique association with parking meters to appear in *The Chronicles of Oklahoma*. See H. G. Thuesen, "Reminiscences of the Development of the Parking Meter," Vol. XLV (Summer, 1967), pp. 112-142.

[1] "Officers Find Nickel Parker Fickle Parker," *Daily Oklahoman*, July 17, 1935, p. 1; "It's Pay As You Park in Oklahoma City Now." Tulsa *Tribune*, July 18, 1935, p. 11; "Park-O-Meters Start a Controversy: Oklahoma City Split Into Two Camps," New York *Times*, July 21, 1935, Sec. 2, pp. 1 and 5.

(*Oklahoma State Alumnus*)

CARL C. MAGEE

The originator of the idea for automating the policing of parking by means of a coin operated meter. He is shown at his office desk. Dual Parking Meter Company, Commerce Exchange Building, Oklahoma City, soon after the world's first installation in Oklahoma City in July, 1935.

to provide satisfactory parking facilities. But the invention of the horseless carriage precipitated a new and more efficient means of transportation. The United States adopted the automobile quickly, and soon it began to replace animal-drawn vehicles as the principal mode of transportation. By 1930 there were 26,545,281 cars and trucks in the United States.

Oklahoma experienced a phenomenal increase in the number of automobiles during this period along with other states. The first count of motor vehicles in Oklahoma conducted in 1913 estimated about 3,000 automobiles of all types. By 1930 the number had increased 183 times to over 550,000.[2]

While the number of automobiles increased, the amount of space available remained constant. The automobile was faster than any animal-drawn vehicle and demanded a more sophisticated system of control to insure the safety and well-being of the public. Nowhere was this more evident than in densely populated urban areas. As cities grew in size and population, the demands on the center of each urban area increased proportionately, while the amount of space available downtown remained relatively unchanged. Streets were paved, which made it easier for the motorist to travel, but he still faced the problem of congestion. This situation was compounded when the motorist parked his automobile. The parked automobile, an obstruction to maximum freedom of passage on any street, made the congestion even more acute on well-traveled streets.[3]

Oklahoma City, already the largest city in Oklahoma, was growing rapidly and becoming a large metropolitan area. One of its more pressing problems was how to deal with the ever-increasing number of automobiles in its limited downtown area. By 1935 Oklahoma City alone accounted for nearly 10% of the motor vehicle registrations in the state. In addition, her status as the state capital and the leading commercial center in the state brought many visitors to the downtown area daily, thus compounding the problem. The city administration fixed time limits on downtown curb parking in an attempt to better facilitate auto parking turnover. But once the time limits were set, the problem of enforcement remained. Traffic patrolmen attempted to keep an accurate check of parking time by chalking the tires of cars parked in time zones. If the automobile was not moved in the prescribed length of time, the patrolman could tell by the position of the chalk on the tire. Such a system would have

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[2] United States Department of Commerce, *Statistical Abstract of the United States*, Vol. LVIII (1936), p. 365.

[3] Hawley S. Simpson, "When, Where and How Should Parking Be Restricted," *Institute of Traffic Engineers Proceedings for 1938* (Chicago, Illinois: Institute of Traffic Engineers, 1938), p. 28.

worked if all motorists had honestly tried to observe the time limits. However, it soon became evident that there were flagrant violations and that it was difficult to prevent them. A motorist could easily remove the chalk mark or even move his automobile, in either case destroying the evidence of a parking violation.[4]

By 1932 the problem of downtown parking in Oklahoma City seemed insoluble. A survey indicated that police attempts to enforce the parking time limits were only 5 to 10% effective. The Oklahoma City Chamber of Commerce was understandably concerned. In 1932 Carl C. Magee was appointed chairman of the Traffic Committee of the Chamber of Commerce. Magee, who took his appointment seriously, was determined to find a solution to the problem.[5]

Magee had a colorful background. He was well known locally and had some fame nationwide. He had testified before the United States Senate Public Lands Committee on the personal activities of Secretary of the Interior Albert Fall, who was then involved in the Teapot Dome Scandal. Magee's testimony was partially responsible for the Teapot Dome exposure. At the time of his involvement with the Teapot Dome, Magee was a newspaperman in Albuquerque, New Mexico. During an attempt to expose corruption in the New Mexico court system, he was arrested for libel and contempt. New Mexico Judge D. J. Leahy, one of the principals in the corruption charges, heard the cases, imposed fines, and sentenced Magee to a prison term. Magee, however, was pardoned by the governor of New Mexico. Then in 1925 Judge Leahy met Magee in a Las Vegas hotel and knocked him down. When Magee pulled out a revolver and shot at Judge Leahy, he killed an innocent bystander. This time Magee went on trial for manslaughter, but was acquitted. In 1927 he left New Mexico and came to Oklahoma City, where he started a weekly newspaper, the *Oklahoma News*, and served as its editor.[6]

When Magee became interested in Oklahoma City's parking problems, he realized that an entirely new approach was needed. Reliance on the existing mechanics of enforcement had proved unsatisfactory, and there was no indication of any chance for

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[4] "City Automobile Registration, Street Mileage, Population and Area, 1935," *Automobile Facts and Figures*, Vol. XVIII (1936), p. 81; interview of authors with H. G. Thuesen, Stillwater, Oklahoma, June 14, 1967.

[5] Louis W. Heavner to James B. Furrh, May 11, 1953, Oklahoma City Chamber of Commerce Archives, Oklahoma City, Oklahoma.

[6] Burl Noggle, *Teapot Dome: Oil and Politics in the 1920's* (Baton Rouge, Louisiana: Louisiana State University Press, 1962), pp. 68-69; "Parking: Slot Machines Now Sell Curb Space in Five Cities," *Newsweek*, Vol. VII (March 7, 1936), pp. 36 and 38; Gerald A. Hale, "The Park-O-Meter Story," manuscript article in authors' possession, p. 1.

improvement in the foreseeable future. Magee turned to the idea of a mechanical device as a possible solution to the problem. First he approached a government mechanic and asked him to make a meter that would remedy the situation; the mechanic gave up in two or three weeks. He then hired a local machinist to build a timing device that would note the length of time each parker spent in a metered zone. Although a rough model was constructed, it was not satisfactory.[7]

Magee was not one to give up easily. He believed his idea of a parking meter was good; what he needed was a craftsman capable of constructing a workable model. He decided to discuss the problem with an old friend, Dean Phillip S. Donnell of the Oklahoma State University College of Engineering. As a result, Dean Donnell gave a luncheon in his home in the latter part of 1932, inviting Magee and members of the College of Engineering faculty. It was at this luncheon that Magee first met Professor H. G. Thuesen, who was later to have such a vital part in the development of the parking meter. Magee discussed the problem at the luncheon, but nothing definite was decided. There were further meetings between Magee and faculty members of the Oklahoma State University College of Engineering about the parking meter proposal. Dean Donnell attended these meetings along with professors O. M. Smith, E. C. Baker, L. E. Hazen, DeWitt Hunt, Albrecht Naeter, Ren G. Saxton, Phillip Wilbur, and Thuesen.

At one of these conferences Magee presented a novel proposal. He offered to sponsor a contest for engineering students of Oklahoma State University to develop a parking meter. He suggested that the contest be divided into two parts, the first competition to develop a design and the second to construct a working model. Magee presented his crude model of an element of a parking meter and gave Dean Donnell $500.00 to finance the contest: $400.00 was to be used as prize money and $100.00 would provide materials.[8]

Dean Donnell announced the opening of the competition on January 4, 1933. Prize money of $160.00 was offered in the design contest, with the remaining $240.00 designated for the working model competition. The contest committee was composed of

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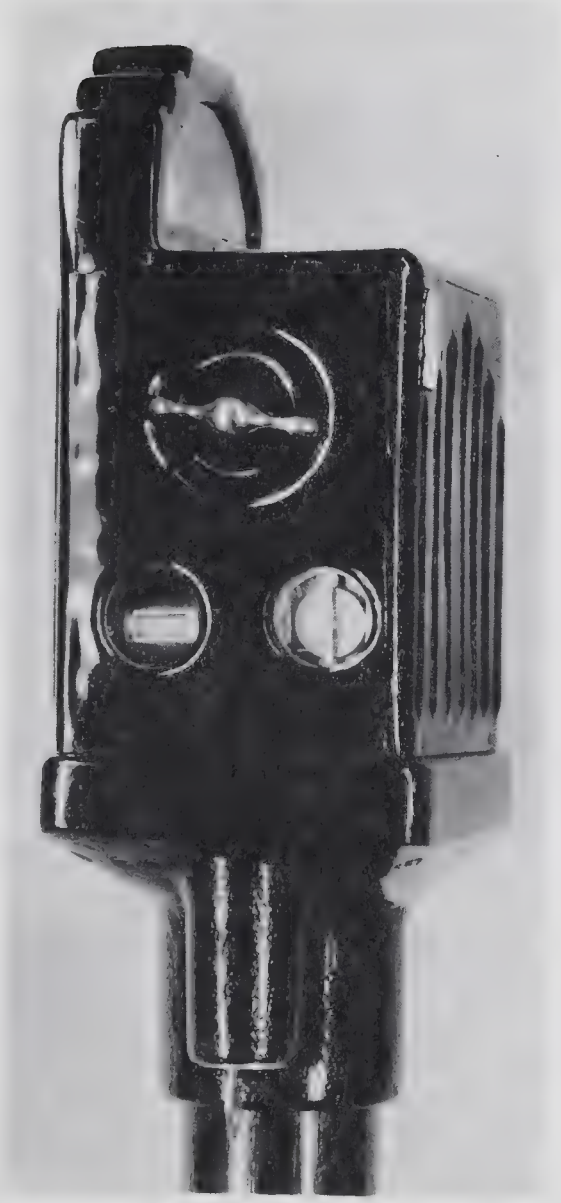
[7] "Device Contest is Lauched by Capital Editor," Oklahoma State University, *Daily O'Collegian*, January 8, 1933, p. 1.

[8] Interview of authors with Thuesen, Stillwater, Oklahoma, June 14, 1967; Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, pp. 114-117. Until 1957, Oklahoma State University was known as Oklahoma Agricultural and Mechanical College, and the College of Engineering was known as the School of Engineering.



(University Archives, Oklahoma State University)

THE BLACK MARIA

The first complete and operable parking meter. This was designed and constructed by Professor H. H. Thuesen and Professor G. A. Hale at Oklahoma State Univesity in 1933.

Professor Hunt, Head of the Department of Industrial Arts Education, as chairman; Professor Thuesen, Acting Head of the Department of Industrial Engineering; and Professor Baker, Head of the Department of Mechanical Engineering. The design contest was to end on January 31, 1933.[9]

On January 7, when Magee met with the applicants in the Old Engineering Building (now Gundersen Hall), he outlined what he expected from the contest. He emphasized that the meter had to be small and attractive, and it should lend itself to low-cost construction. A lever was to be incorporated into the design to facilitate winding the clock mechanism. He mentioned the long-range financial benefits a device of this type would contribute to a city's treasury. There were thirteen applicants at this meeting, and six of them paired off to work as three teams.[10]

Magee's original parking meter element was placed in the office of Mary M. Graves, the reference librarian of the College of Engineering, for the use of the contestants. They came often to view the element and the patent papers accompanying it. The design competition progressed satisfactorily, for the students put in many hours of work. Later the deadline was extended to February 3, when all entries were to be submitted by 6:00 p.m.

The contest judges were Oklahoma City engineers Carl Boener, Clair Drury, S. L. Rolland, Ward Sherman, and A. E. Phillips. They met with the committee on February 4 in the offices of the Oklahoma Gas and Electric Company in Oklahoma City to choose the winning designs. Victor L. Rupe was the winner of this phase.[11]

Although the working model competition was to start immediately, inclement weather prevented Magee from meeting with the contest committee, and the opening of this competition was postponed. To provide the students with a guide for their models, Professor Thuesen began working on two models, one with a signal device on the outside and the other with the signal device enclosed in the meter.

On February 11, Magee met with the committee and approved the design with the signal device enclosed which Thuesen

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9 "Engineers to Compete in Carl Magee Parking Device Contest," Oklahoma State University, *Daily O'Collegian*, January 4, 1933, p. 3.

10 "Device Contest is Lauched by Capital Editor," *ibid.*, January 8, 1933, p. 1.

11 "Aggie Engineers Work on Device," *ibid.*, January 14, 1933, p. 1; "Contest Winners Will be Picked," *ibid.*, February 4, 1933, p. 1; "Rupe is Winner of Carl Magee Design Contest," *ibid.*, February 5, 1933, p. 1.

had drawn from the diagrams submitted by the students. It was adopted because Magee and the committee believed it would be more weatherproof. The College of Engineering provided the contestants with drawings of this design, and the students based their models on these drawings.

The entrance deadline was then set for February 17, 1933, and the contest was to end on April 1 of that same year. The entrance deadline was later extended one week to allow more students to participate. Eight students constructed models in the contest, and to allow them more time, the final deadline was tentatively extended to May 6.[12]

At first progress appeared to be unsatisfactory, but the contest continued, and the entrants resorted to using old alarm clocks to perfect their timing mechanisms. The model competition was called to a close on May 4; that evening the entries were judged. Although Lloyd Goodwin was awarded the first prize of $100.00, none of the models were sophisticated enough to insure smooth operation. It was at this point that Thuesen began to take an active part in the development of a workable parking meter model.[13]

Thuesen was well qualified for the task. He was a graduate of Iowa State University and held the Professional Degree and the Master's Degree in Mechanical Engineering. At the age of sixteen he had developed a speed indicator which used a timing device and had obtained a patent on it. He had spent some time working in industry and had taught at the University of Colorado before coming to Oklahoma State University in 1921. By 1933 he was an associate professor and Acting Head of the Department of Industrial Engineering.[14]

After he had sent a letter to Magee informing him that the models were not wholly satisfactory and that an operational model would need more work, Thuesen decided that he would ask a promising engineer to help him develop a better model. He thought of a former student, Gerald A. Hale, who was a

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12 "Deadline is Set Up in Contest," *ibid.*, February 11, 1933, p. 3; "Parking Contest Deadline Set Up," *ibid.*, February 12, 1933, p. 4; "Deadline Extended in Magee Device Contest," *ibid.*, February 18, 1933, p. 4.

13 "Old Alarm Clocks are Still Needed by Carl Magee Contest Entries," *ibid.*, April 27, 1933, p. 3; Thuesen to Carl C. Magee, May 5, 1933, H. G. Thuesen Collection, University Archives, Oklahoma State University Library, Stillwater, Oklahoma.

14 M. R. Lohmann to Chairman, Awards Nominations Committee, American Institute of Industrial Engineers, October 8, 1963, Thuesen Collection, University Archives, Oklahoma State University Library; United States Patent Office, *Official Gazette*, Vol. CCXX (November, 1915), p. 430. At the time, Iowa State University was known as Iowa State College.

1927 graduate of Oklahoma State University and was at that time employed as an instructor in the Department of Mechanical Engineering. Hale had worked with Thuesen on a machine to increase the output in hooking rugs for a government sponsored student aid project. Although the rug hooking project failed, the machine was a success. Thuesen considered Hale an outstanding engineer, and they worked well together.[15]

Hale agreed to cooperate with Thuesen primarily for the experience, but also for the pleasure of seeing the parking meter project succeed. They began their efforts in May, 1933, and all of the work took place in the Old Engineering Building on the Oklahoma State University campus. The design of the meter was characterized by three main points: (1) the signal was enclosed in a window through which it was visible, (2) the last coin deposited was visible through a window to guard against attempts to cheat the meter, and (3) provision was made to accumulate energy supplied by the operator turning a lever.

It took Thuesen and Hale about three weeks to design the mechanism. The two engineers called Magee when they completed the design, and he came to Stillwater to view the drawings. He quickly grasped the salient features involved and was favorably impressed. He asked Thuesen how long it would take to build a model of the design and how much it would cost. Thuesen replied that it would involve about ten days of work and would cost approximately $100.00. Magee told Thuesen and Hale to construct the model and contact him in Albuquerque, New Mexico, where he temporarily would be when they completed the project.

Thuesen and Hale began working on the model the next day. The actual construction which took ten days was done in the Engineering Shops Building on the Oklahoma State University campus. All the interior parts were constructed by the two engineers, a local plumber made the case, and a Yale lock was used to secure it. This model, known as the "Black Maria," is now on display in the Department of Industrial Engineering at Oklahoma State University.

Thuesen attempted to telephone Magee at Albuquerque, but he was unable to contact him. Failing to reach Magee after repeated attempts, Thuesen and Hale decided to find out how much it would cost to manufacture the parking meter. They prepared drawings of the model and submitted them to various manufacturing companies. They asked the companies to give

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[15] Thuesen to Magee, May 5, 1933, Thuesen Collection, University Archives, Oklahoma State University Library; Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 121.

them an estimate of the cost of constructing manufacturing tools to make each part, as well as the cost of producing enough parts to construct 1,000 meters. The Century Electric Company of St. Louis, Missouri, provided them with a complete cost estimate. This company was willing to do so because there was a chance for them to get the construction contract, and they were also much in need of new business during the years of the Great Depression.[16]

In the early fall of 1933, Thuesen finally succeeded in contacting Magee, who agreed to come to Stillwater to look at the model. Magee detested doing business by telephone or by letter, and he tried to confine his activities to personal conferences. When he saw the "Black Maria," he was favorably impressed, and he asked Thuesen and Hale to prepare a cost estimate immediately. They presented him with the figures prepared by the Century Electric Company, and he was delighted with their foresight.

During the Christmas holidays of 1933, Thuesen traveled to Milwaukee, Wisconsin, and Chicago, Illinois, to talk with prospective parts suppliers for the parking meter. When Thuesen gave his report to Magee, they decided to employ a Sand Springs, Oklahoma, machinist named Adolph Schillinger to do further work on the model. Schillinger had a well-equipped shop and used ingenious methods, but his efforts were unsatisfactory.[17]

In the early summer of 1934, Magee and Thuesen went on a trip together to meet with prospective manufacturers of the parking meter. They talked with Schillinger in Sand Springs and went from there to Kansas City, Missouri, where they visited with a die caster and a slot machine manufacturer, but they did not accomplish anything tangible. They proceeded to St. Louis and had a conference with officials of the Century Electric Company, a firm which assured them that its men could build both the tools and the parts necessary to undertake the venture. With this information Magee and Thuesen returned to Oklahoma.

Before embarking on the trip with Magee, Thuesen had tried to contact a Tulsa firm, the Nic-O-Time Company. This concern had constructed timing devices used for exploding nitroglycerin in oil wells, but the firm was no longer in business. After Magee and Thuesen had visited Schillinger in Sand Springs, Schillinger decided to sell the information that Magee was look-

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[16] *Ibid.*, pp. 121, 123 and 125; interview of authors with Thuesen, Stillwater, Oklahoma, June 28, 1967.

[17] Tulsa City-County Library to authors, March 5, 1968, in authors' possession; J. B. McGay to authors, August 14, 1967, in authors' possession.

(Division of Public Information, Oklahoma State University)

THE INDUSTRIAL BUILDING (ENGINEERING SHOPS) AT OKLAHOMA STATE UNIVERSITY

Where Professor H. G. Thuesen and Professor G. A. Hale constructed the world's first operable parking meter.

ing for someone to manufacture parking meters. He contacted J. B. McGay and G. E. Nicholson, the owners of the Macnick Company, which had been formed in 1932 and had replaced the Nic-O-Time Company. Schillinger offered to sell them the name of a person who wanted an unspecified item developed and produced. McGay and Nicholson paid Schillinger $50.00 for this information. They contacted Magee and made an agreement with him to produce his parking meter.[18]

Magee raised enough capital to start his own corporation. He acquired the necessary funds from 125 businessmen and incorporated the Dual Parking Meter Company. The offices of the company were located in the Commerce and Exchange Building in Oklahoma City. The company was created primarily to promote and sell parking meters, and their manufacture was carried out by the Macnick Company of Tulsa. Parking meters were not actually produced in Oklahoma City until after World War II, and then by a new firm, the Magee-Hale Park-O-Meter Company. By that time the Dual Company had been sold to the Union Metal Company of Canton, Ohio.[19]

Magee served as president of the Dual Parking Meter Company and Virgil Brown and H. L. Eddy were his aids. Later, Hale joined the firm. In 1936, R. J. Benzel, vice-president of the Southwestern Bell Telephone Company, became executive vice-president of the company. After agreeing to the manufacture of the meters, McGay and Nicholson bought stock in the company.[20]

The name chosen for the parking device was the Park-O-Meter. It was discovered not long afterwards, however, that the name "Parkometer" was protected by a trademark. Magee tried to secure a release of this trademark, but his efforts were unsuccessful. By 1937 the meters were known as "Dual" after the company. The trademark "Parkometer" was purchased during World War II, and when the new company was formed after

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18 Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 127; McGay to authors, August 14, 1967, in authors' possession.

19 "Parking: Slot Machines Now Sell Curb Space in Five Cities," *Newsweek*, Vol. VII, pp. 36 and 38; Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 132; Hale, "The Park-O-Meter Story," manuscript article in authors' possession, p. 5.

20 Interview of authors with Thuesen, Stillwater, Oklahoma, June 14, 1967; "Benzel to Quit Phone Job, Join Parking Meter Firm," *Daily Oklahoman*, September 16, 1936, p. 15; McGay to authors, August 14, 1967 in authors' possession.

the war, the trademark "Park-O-Meter" was used on the Magee-Hale meters.[21]

When the Macnick Company agreed to manufacture parking meters for the Dual Parking Meter Company, it decided to modify the original Thuesen-Hale model. This decision was based primarily on the meter's adaptability to the production equipment possessed by the Macnick Company. The original model had been designed to be produced with standard machines requiring a minimum of initial tool cost. The Macnick Company, however, had produced bomb timers and recording meters, and they were one of the few firms in the area equipped with the automatic lathes and punch presses necessary to produce these products. The Macnick Company thus developed a model which could be manufactured by using predominately punch press sheet metal parts.

The model was quite similar to the original Thuesen-Hale design. It used an enclosed signal which was visible through one window and provided another window through which the coin last deposited could be seen. One of the flaws in the model was that it did not require the operator to complete the winding cycle. Thus one could purposely turn the handle only part of the way through the cycle and make the meter appear to be operating. The operator could manipulate the handle so that the signal flag would be up, but the coin would remain in the machine and could be used repeatedly to operate the meter.

Thuesen and Hale met with McGay and Nicholson and pointed out the flaws in the new model. The paramount problem was that the design did not cause the operator to store the energy necessary to drive the mechanism through its cycle without completely turning the handle. McGay and Nicholson were quick to recognize the flaws, and they recommended changes in the Macnick design. When these changes were incorporated in the design, they partially overcame its shortcomings, and the first parking meters installed were based on this design. The Macnick Company set up their plant to manufacture this type of meter, and the Dual Company began their quest for a trial installation.[22]

Fortunately, conditions were excellent for the acceptance of the parking meter. Motorists in Oklahoma had been enduring intolerable parking conditions for years, and they were beginning to look to new methods to solve the problem. Also, city govern-

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21 Hale, "The Park-O-Meter Story," manuscript article in authors' possession, pp. 3 and 6; "Toledo Installs Automatic Parking Meters," *American City*, Vol. LII (January, 1937), p. 104.

22 Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 130.

ments were in need of additional sources of revenue during the Great Depression, and the parking meter would partially alleviate this problem. Magee, recognizing these facts, decided to attempt to set up a test installation in Oklahoma City.

This urban area was experiencing the same problems that were common in most large cities during this period. In addition to the parking situation in the downtown area, the city was experiencing a steady shrinkage in the valuation of its tax base. In 1931 real and personal property in Oklahoma City was assessed at $169,774,658. By 1934 the assessed valuation of this property had dropped to $119,142,466. The assessed valuation of public service companies in Oklahoma County in 1931 was $31,392,103, but by 1934 had plunged to $24,401,360. This meant that the tax base of property and public utilities had shrunk 28.8% in only three years. Such a rapid drop in the tax base had left the city administration in a critical position. As the amount of tax money decreased, the city could revert to deficit spending and continue to maintain all the ordinary services performed before the fall in valuation, drastically curtail services and stay within its budget, or look for new sources of income.

Oklahoma City chose the last method. The federal government was making loans to cities in this period, but to be in a favorable position to receive such a loan, it was imperative that Oklahoma City pay its debts in an orderly manner. Oklahoma City maintained this policy, and by 1935 it was one of the five soundest municipal corporations in the nation. It was amazing that the city could boast of this fact. While it was paying off its debt, it was collecting taxes on a steadily decreasing base. In addition, the tax levy had dropped $5.23 per $1,000 assessed valuation in 1934 alone. The city's population was increasing, but not fast enough to warrant this decrease in the levy.[23]

The city manager who was directing this masterful manipulation of the city's revenues was Orval M. Mosier. He was able to effectively utilize existing funds and was aided by provident state supreme court rulings which released over $300,000 to the city's treasury in the early 1930's. However, by the end of 1934 the city was faced with the problem of using all of its surplus to maintain services in 1935, or seeking new sources of revenue.[24]

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[23] Oklahoma Tax Commission, *Report of the Oklahoma Tax Commission—from its Creation January 19, 1931 to July 1, 1931; and for the Three Fiscal Years Ending June 30, 1932, 1933, and 1934* (Oklahoma City, Oklahoma: Harlow Publishing Company, 1934), pp. 157-171; "Bond Debt Cut Puts City in Nation's Top Financial Rank," Oklahoma City *Times*, April 19, 1935, p. 18.

[24] "Mosier Faces Problem of Finding New Revenues to Replace Shrinkage in Income," *Daily Oklahoman*, April 29, 1935, p. 9.

Mosier could have recommended a general tax levy, but he was reluctant to resort to this method. He turned instead to the oil companies which operated pipe lines and wells within the city limits. A heavy pipe line tax was imposed on the Oklahoma Natural Gas Company, and this tax alone accounted for over $30,000 a year in increased revenue. He proposed a $250.00 a year tax on each oil well operated within the city limits, but the city council, after hearing arguments from the oil companies, agreed on a $100.00 a year tax on each well. Mosier's plan would have netted the city $70,000 a year, and the compromise tax would only net $27,700. The city needed $200,000 a year in new revenue, and the two new sources would bring in less than $60,000. Mosier could look to two additional new sources of revenue: an extended sewer tax and parking meters.[25]

The sewer tax on users outside the city limits was aimed primarily at the meat packing houses. Mosier voiced the opinion that if the packing companies used the sewers, they should be charged for the privilege. The sewer tax would net $25,000 a year, but that still left the city far below the needed $200,000 in new revenue.[26]

Mosier had been planning to utilize parking meters for some time. He recognized their value and recommended that the city council act on an ordinance permitting the use of parking meters by the municipal government of Oklahoma City. On November 20, 1934, the city council directed the municipal counselor to prepare a suitable ordinance providing for the installation of about 200 parking meters in downtown locations. When Mosier was faced with the problem of finding new sources of revenue in April, 1935, he was able to submit this ordinance to the city council. It was introduced to the council on April 25, but no action was taken.[27]

The new council that would vote on the ordinance was somewhat more favorable to Mosier than the earlier council that had instructed the city attorney to draw up the ordinance. In early April of that same year, G. A. Stark, the leader of the opposition to Mosier, had been defeated in the city's election. Without Stark there was not much organized resistance in the council. On April 26, Mosier let the fact that he intended to ask for a five-mill levy leak to the newspapers. The reaction of

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25 "Mosier Hopes to Keep City Without Levy," *ibid.*, April 21, 1935, Sec. A., p. 9; "Mosier Faces Problem of Finding New Revenues to Replace Shrinkage in Income," *ibid.*, April 29, 1935, p. 9.

26 T. T. Johnson, "Opposition to Mosier Regime Still Evident as Revenue Measures Draw Fire," *ibid.*, April 22, 1935, p. 12.

27 "Ordinance is Ordered on Parking Meters," Oklahoma City *Times*, November 20, 1934, p. 1; "Council Faces Heavy Docket," *Daily Oklahoman*, April 23, 1935, p. 2.

the council members was immediate. They countered with the proposal that they would wait until the budget proposals were announced and until it was definitely known how much money the city would receive from federal funds before they would commit themselves on any levy increase that would raise taxes $1.50 for each $1,000 in property valuation. On the day the council met, Mosier announced in the newspaper that he was seeking new ways to avoid an ad valorem levy for general fund purposes. He again advocated the use of indirect taxation with the income derived from the new sewer tax and the installation of parking meters. He estimated that the parking meter would bring $75,000 to the city's coffers the first year.[28]

On May 2, 1935, the parking meter ordinance was read for the second time before the Oklahoma City Council. It was passed by a vote of five to three. It called for the installation and regulation of Park-O-Meters and provided for a penalty for violations. The wording of the ordinance used the term "Park-O-Meter," the Dual Parking Meter Company's trademark.[29]

Mosier's victory was not complete on the parking meter issue. Within a few days opposition to his plans began to develop, but he was not seriously challenged. He did not press for the levy increase once the parking meter ordinance had been passed. However, Mosier's master plan had called for the eventual installation of 1,000 parking meters, and it was on this basis that he had anticipated an additional $75,000 in new revenue.[30]

The test plan provided for the installation of 200 meters in the downtown area of Oklahoma City. The parking meters would be set up on fourteen blocks in the city's most congested area. The parking fee was set at five cents an hour for the use of each timed zone. Violators would be required to pay a $20.00 police court fine under the original ordinance.

A short time after the ordinance was passed, there was speculation on how well the parking meters would work. At first the newspapers reported that a red flag would be visible in the

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28 Johnson, "Opposition to Mosier Regime Still Evident as Revenue Measures Draw Fire," *ibid.*, April 22, 1935, p. 12; "Mosier 10 Year Plan Faces Council Test on Levy Issue," Oklahoma City *Times*, April 26, 1935, p. 23; "Council May Get Two City Budget Proposals in July," *ibid.*, May 2, 1935, p. 4; "Mosier Favors General Fund Levy Next Year Unless New Revenues are Found," *Daily Oklahoman*, May 2, 1935, p. 12.

29 Oklahoma City, Oklahoma, "Minutes of the Meeting of the City Council, May 2, 1935," Book 9, p. 234, manuscript document, Traffic Control Office, Municipal Building, Oklahoma City, Oklahoma.

30 Horace Thompson, "Mosier's Job Called Secure Until Autumn," Oklahoma City *Times*, May 8, 1935, p. 13; "Parkers Will Pay, Lawyers Will Litigate," *Daily Oklahoman*, May 8, 1935, p. 1.

glass window, and when a motorist deposited a nickel, a green flag would pop up and replace it until the parking time elapsed. Newspapers soon reported, however, that there was no red flag, and only a green flag would be used to signal that the motorist had paid his parking fee. Meanwhile, Magee conceived the idea of a sealed tube in the meter which would collect all deposited coins. The tube could be removed by a city employee and transported to the treasurer's office.[31]

The parking meter made its first public appearance at a display in Oklahoma City on May 8, 1935. While Oklahoma City's residents were viewing and preparing for this novel device, Magee was drafting a contract for presentation to the city council. The city advertised for bids on parking meters on June 12, 13, and 14, 1935, and the Dual Parking Meter Company submitted its bid on June 17, 1935. The company agreed to sell parking meters to the city for $23.00 each, with payments made at thirty-day intervals from receipts from the meters. The city council accepted the bid by a vote of five to three, but did not agree to pay interest on the unpaid balance.[32] Although the contract authorized the purchase of 225 parking meters, only 175 were actually installed. The initial installation was made on July 16, 1935. This event caused a storm of controversy which put the practicability and legality of the device to a severe test in the months ahead.[33]

When parking meters were installed on Oklahoma City streets, opponents of the device maintained that they were an illegal infringement on the individual's right to free use of the public streets. Favorable court rulings soon counteracted this opinion, and thereafter, not only in Oklahoma City but throughout the United States, more complex legal strategies were used in attempts to remove parking meters. In some cases the defenders of the parking meter lost court decisions, but in most instances the device was found to be legal.

Magee had anticipated court actions when he began his development of the parking meter. His legal training and experience suggested that parking meters would be declared illegal

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31 "Parking Meters to be Installed in City at Once," Oklahoma City *Times*, May 7, 1935, p. 1; "Parkers Will Pay, Lawyers Will Litigate," *Daily Oklahoman*, May 8, 1935, p. 1.

32 "Here's the Park-O-Meter in Action — For a Nickel a Park," *ibid.*, May 8, 1935, p. 2; Oklahoma City, Oklahoma, "Contract Between The Dual Parking Meter Company and The City of Oklahoma City, July, 1935," manuscript document, Traffic Control Office, Municipal Building, Oklahoma City, Oklahoma; Oklahoma City, Oklahoma, "Minutes of the Meeting of the City Council, July 2, 1935," Book 9, p. 429, manuscript document, Traffic Control Office, Municipal Building, Oklahoma City, Oklahoma.

(University Archives, Oklahoma State University)

WORLD'S FIRST INSTALLED PARKING METER.
OKLAHOMA CITY, 1935

The type of parking meter used in the world's first installation in Oklahoma City in July, 1935. This meter was manufactured for the Dual Parking Meter Company of Oklahoma City by the Macnick Company of Tulsa.

because city governments would be charging rent for the use of public streets. He therefore decided to approach the problem from another direction. He maintained that parking meters could be utilized to regulate traffic, and for this purpose a small fee would be legal.[34]

When the Oklahoma City council instructed the municipal counselor to prepare a suitable ordinance providing for the installation of parking meters, some Oklahoma City residents questioned their legality. Attorneys Ed S. Butterfield and R. R. McCormack announced that they would file an injunction suit if the city planned to install parking meters.[35] As it became evident that the ordinance would actually be passed, Butterfield emerged as the leader of the opponents of the parking meter ordinance. When the city council passed the measure, Butterfield changed his tactics. He decided not to contest the ordinance, but to confine his opposition to the legality of the city's purchase of parking meters. He planned a two-pronged attack: first, he would file a suit against city officials to prevent them from paying for the parking meters; second, he would file a suit against Magee to prevent him from collecting any money to pay for the parking meters. Butterfield elected to allow the city to install the parking meters in order to build a better case.[36]

The opponents of parking meters took no legal action against the meters until they were installed on July 16, 1935. Butterfield, however, had again changed his approach and sought a temporary injunction charging that the city was attempting to levy an additional tax on automobiles while claiming that parking meter fees were used for traffic regulation. He contended that this tax was depriving automobile owners of their property without due process of law. In addition he maintained that the fees were for the sole purpose of raising revenue. On these grounds a temporary restraining order prohibiting the use of the meters was granted on July 17, 1935, by District Judge Clarence Mills. Now the two lines of battle were clearly drawn. The opponents of parking meters had used the approach Magee had anticipated. The city could base its defense on the idea that parking meters would be used merely to regulate parking. The courts could decide on the legality of its stand.

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33 "Park Meters Cost Lacking," *Daily Oklahoman*, July 21, 1935, p. A-9; Julia Baughman, "Park-O-Meter — Yea? Bah!" Oklahoma City *Times*, July 16, 1935, pp. 1-2.

34 Interview of authors with Thuesen, Stillwater, Oklahoma, June 14, 1967.

35 "Ordinance is Ordered on Parking Meters," Oklahoma City *Times*, November 20, 1934, p. 1.

36 "Parkers Will Pay, Lawyers Will Litigate," *Daily Oklahoman*, May 8, 1935, p. 1.

As soon as the restraining order was granted, City Manager Mosier ordered Police Chief John Watt to revert to the old parking ordinance and enforce time-zone parking without using the meters. The money already deposited was collected from the meters, and they were rendered inoperative pending a court ruling on the temporary restraining order.

A hearing to determine whether the temporary restraining order should be changed to a permanent restraining order was set for July 23, 1935, in the courtroom of Judge Sam Hooker. Harlan Deupree, the city attorney, was aided by Magee's attorneys, Malcolm W. McKenzie and W. H. Brown, in preparing the city's defense. A. P. Van Meter, the assistant municipal counselor, actually represented the city at the hearing, and the defense of the ordinance was presented by Brown, who acted as a special attorney for Oklahoma City. The opponents of the parking meters were represented by Butterfield, Melville F. Boddie, and Harry L. Neuffer.[37]

The day before the hearing Butterfield served Mosier with a subpoena to appear in court the next day, but Mosier disregarded the subpoena and left for Washington, D. C., the night before the hearing. Butterfield used this event to furnish more publicity for the hearing.[38]

When the hearing began the next day, the courtroom was packed with interested spectators. Judge Hooker was aided by Judges Mills, Ben Arnold, and George Giddings. Butterfield based much of his case on an appeal to personal sentiment. He presented himself as a witness and attempted to create the impression that he was a model citizen. He maintained that a good citizen would only park the prescribed time in a timed zone; that if he overparked, he would gladly pay his fine; and that a parking meter was an insult to a good citizen's integrity. He maintained that charging a nickel for the use of public streets was illegal. The spectators in the courtroom applauded his attack so many times that Judge Hooker threatened them with eviction to maintain order.[39]

Brown's presentation of the city's case was in marked contrast to the tactics used by Butterfield. Brown attempted to

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[37] "Meter Parking 'Free' Pending Test in Court," Oklahoma City *Times*, July 17, 1935, p. 2; "Plaintiffs Claim Mosier Dodged Subpoena in Parking Meter Test Suit Today," *Daily Oklahoman*, July 23, 1935, p. 12; "Oklahoma City Autoists Plan to Fight Nickel-in-Slot Curbstone Parking Meters," New York *Times*, July 17, 1935, Sec. 1, p. 21.

[38] "Plaintiffs Claim Mosier Dodged Subpoena in Parking Meter Test Suit Today," *Daily Oklahoman*, July 23, 1935, p. 12.

[39] "Cheering Throng Back Butterfield in Parking Fight," Oklahoma City *Times*, July 23, 1935, pp. 1-2.

(Division of Public Information, Oklahoma State University)

THE OLD COLLEGE OF ENGINEERING BUILDING (1912-1938) AT OKLAHOMA STATE UNIVERSITY

Now Gundersen Hall, where Professor H. G. Thuesen and Professor G. A. Hale designed the world's first operable parking meter.

present a case based on sound legal principles and did not resort to an emotional appeal to the court. He recognized the need for similar precedents in order to create a strong case for the parking meter ordinance. He began his defense by explaining the operation of the parking meter and pointed out that it was a progressive invention. He maintained that if there were no need for parking meters, they would not have been invented. He alleged that parking was a privilege and not a right, and that parking meters were necessary in some instances to preserve that privilege. Brown contended that the principles of law involved were not new. Oklahoma City required the payment of license fees by individuals who desired the privilege of operating certain business in the city, and the same principle applied to parking meters. He argued that the city charged these fees to regulate businesses and would apply the same principle with parking meters.

Brown was not content to limit the scope of his defense to local ordinances, but based much of his case on state statutes. He maintained that not only could cities establish ordinances that were not in conflict with the laws of the United States or the laws of Oklahoma, but such ordinances would benefit trade and commerce. He noted that a city could pass an ordinance to prevent an encroachment upon its streets, and he emphasized that a city had the right to pass ordinances that it deemed necessary for its own welfare.[40] Brown turned next to the city charter and pointed out that the city was empowered to pass and enforce ordinances that provided for the removal of nuisances that were in conflict with the best interests of the city. He contended that overtime parkers were in this category. He quoted forty-six pertinent court decisions from over the United States and noted in each case that the court had gone far beyond what was necessary in order to preserve a similar ordinance. He ended his defense by stating that the city had every right to charge a regulatory fee for the privilege of parking on its streets.[41]

The judges took one day to deliberate the case. They concluded that the city did have the right to install parking meters and charge a nominal fee in order to regulate parking on its

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[40] W. H. Brown, "Memorandum Brief and Argument, Ed Butterfield vs. The City of Oklahoma City, July 23, 1935," pp. 1 and 3, manuscript document, Thuesen Collection, University Archives, Oklahoma State University Library; Frank O. Eagin and C. W. Van Eaton, comps., *Oklahoma Statutes, 1931* (2 vols., Oklahoma City: Harlow Publishing Co., 1932), Vol. I, pp. 1879, 1883, and 1886.

[41] Brown, "Memorandum Brief and Argument, Ed Butterfield vs. The City of Oklahoma City, July 23, 1935," pp. 4-26, manuscript document, Thuesen Collection, University Archives, Oklahoma State University Library.

streets. However, while they maintained that parking was indeed a privilege given by the city, they agreed that if the meter revenues remained as high as they were on the first day of operation, then the fee was exorbitant.[42]

When the court's decision was announced, Butterfield did not lose heart. He maintained that the decision was a victory for the opponents of parking meters. He was confident that the amount of revenue taken in by the meters would remain constant, and therefore exorbitant; if this were true, then he would indeed have a case. Magee laughed at this contention and commented that he could set the parking meters so they would take a smaller coin.[43]

Notwithstanding the confidence of Magee, Butterfield announced that he would appeal the decision to the Oklahoma Supreme Court. However, Butterfield waited three months before he took action, and then he was joined by Boddie in making an amended petition for an injunction in district court. The new petition charged that the parking meter ordinance was a revenue-raising measure and not merely a regulatory measure. The injunction was never granted, and this phase of court actions against parking meters was superseded by the H. E. Duncan case in 1937.[44]

When the district court denied a permanent injunction against parking meters, the opponents of the meters began to seek new ways of attack. Paul Dillard, an Oklahoma City attorney, decided to seek a referendum on the parking meter ordinance in the next election. He announced on July 25, 1935, that he would attempt to get enough signatures on a petition to place the ordinance on the September 24 ballot.[45]

Mayor J. Frank Martin agreed that Dillard had a good idea and said that he would vote for the referendum if the city council vote ended in a tie. He contended that the people should have an opportunity to vote on an ordinance as controversial as this. He did not give any help to Dillard, however, and left it up to the opponents of the meters to get the necessary signatures.

When Dillard began his referendum movement, he thought that he would have to get 8,000 signatures to place his refer-

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42 Sam Hooker's decision of July 25, 1935, in Brown, *ibid.*

43 "Parking Appeal Rushed, Meters Go in Use Again Friday," Oklahoma City *Times*, July 25, 1935, p. 10.

44 "Parking Meters Held Legal," New York *Times*, July 25, 1935, Sec. 1, p. 12; "Changes Made in Meter Suit," *Daily Oklahoman*, October 5, 1935, p. 4; "Parking Meters Ruled Valid by Court, But City Denied Profits," Oklahoma City *Times*, March 9, 1937, p. 1.

45 "Parking Appeal Rushed, Meters Go in Use Again Friday," *ibid.*, July 25, 1935, p. 10.

endum on the ballot. But since the last election in Oklahoma City had been over the gas franchise for the city and only 11,000 voters had bothered to cast their ballots, Dillard needed only 3,000 signatures. Still another legal question arose before Dillard submitted his referendum petition to the city council. Legally he had to submit his petition within thirty days of the passage of the parking meter ordinance. Although over two months had elapsed since the ordinance was passed, the city attorney was agreeable and allowed Dillard to submit the petition if he could get the necessary signatures. Dillard and his associates were successful, and on August 6, 1935, they submitted a petition containing 3,153 names which called for a referendum on the parking meter ordinance at the next election.[46]

Opponents of the referendum protested, however, and were successful in having a hearing date delayed until September 18. Dillard realized that this would not give his forces enough time to wage a successful campaign even if the council found the petition sufficient. Reluctantly Dillard dropped out of the fight on September 11. He announced that he would try to get the referendum on the next city election in April, 1937, but by that time the Oklahoma State Supreme Court had reached a decision in the H. E. Duncan case.[47]

When Magee conceived the idea of parking meters, he decided that five cents would be the best fee to charge. He held that although the amount was sufficiently large to more than pay for the cost of operating the meters, it was still small enough to impose no hardship on the parker. The opponents of the parking meters had another view: no matter how small the fee, they contended that the principle of paying it was in fact tacit agreement that the city had the right to charge a fee for metered parking.

On the day that parking meters were installed in Oklahoma City, attorneys Neuffer and Dillard spent all day deliberately violating the parking meter ordinance, but they were not arrested. Police Chief Watt had given orders to his men not to stop anyone until the public had become accustomed to the meters. It was obvious that the police were not going to create a test case before the expected injunction hearing took place, and Butterfield and Boddie were only able to issue threats of what they would do if anyone were arrested. Butterfield offered to pay the fine of the first arrested motorist, and Boddie

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[46] "Mayor Will Support Move for Popular Vote on City Parking Meter Question," *Daily Oklahoman*, July 26, 1935, p. 4; "Spread of Parking Meter Seen," Oklahoma City *Times*, August 6, 1935, p. 1.

[47] "Parking Vote Plea Dropped," *Daily Oklahoman*, September 12, 1935, p. 1.

said that he would apply for a writ of habeas corpus on that individual's behalf.[48]

When the temporary injunction was granted, there was some confusion in the city administration on what to do to prevent tampering with the parking meters. Pranksters found a way to jam the meters the first day of their operation, but City Manager Mosier could not locate a city ordinance to deal with the problem. But when the permanent injunction was denied, Chief Watt announced that not only did the parking meter ordinance forbid tampering with the meters, but that the police department would arrest violators. He compared parking meters with mail boxes and fire alarm boxes and vowed to uphold the ordinance. At this time Magee printed an appeal in the *Daily Oklahoman* asking for the cooperation of the public. He pointed out the benefits of the parking meter and asked for the public's patience and cooperation in the experiment.[49]

The first person arrested for a parking meter violation was the Reverend C. H. North of the Third Pentecostal Holiness Church of Oklahoma City. Reverend North said that he was guilty, but maintained that he had gone to a store to get change, and when he returned to deposit his nickel, he found a ticket on his windshield. After hearing this testimony, Police Judge Mike Foster dismissed the case.[50] R. H. Avant of Clinton, Oklahoma, was the first person actually fined in Oklahoma City for a parking meter violation. He was arrested for placing a slug in a parking meter, and was fined $11.00, which he paid. Judge Foster said similar violations would bring the same fine.[51]

On August 2, 1935, the same day Judge Foster was assessing the first parking meter fine in another part of Oklahoma City, an event was taking place which could have resulted in irreparable harm to the use of parking meters. District Court Judge Mills parked his car in front of the Tradesmen National Bank in a one-hour parking space and deposited his nickel. Mills and his bailiff went to lunch and returned in twenty-seven minutes, only to find a ticket for overtime parking. He went straight to police

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48 Interview of authors with Thuesen, Stillwater, Oklahoma, June 28, 1967; "Officers Find Nickel Parker Fickle Parker," *Daily Oklahoman*, July 17, 1935, p. 1; "Oklahoma City Autoists Plan to Fight Nickel-in-Slot Curbstone Parking Meters," New York *Times*, July 17, 1935, Sec. 1, p. 21.

49 "Officers Find Nickel Parker Fickle Parker," *Daily Oklahoman*, July 17, 1935, p. 1; "Parking Appeal Rushed, Meters Go in Use Again Friday," Oklahoma City *Times*, July 25, 1935, p. 10; "Courtesy Tags Used on Curb Meters Today," *ibid.*, July 26, 1935, p. 1; "Concerning the Park-O-Meters," *Daily Oklahoman*, July 26, 1935, p. 11.

50 "Testimony Blocks Park Meter Test Involving Pastor," Oklahoma City *Times*, July 30, 1935, p. 1.

51 "Parker Fined for Cheating Meter," *ibid.*, August 2, 1935, p. 1.

headquarters and explained the situation to Police Captain Tom Webb. Webb agreed that something must be wrong with the parking meter and took the offending ticket. Judge Mills did not pursue the matter further because of the amended injunction hearing that was pending.[52]

Another form of opposition appeared when Judge Foster suspended Mrs. C. W. Alley's $3.00 fine for overtime parking in order to give her time to sell her chickens to pay the fine. Mrs. Alley contended that two police officers told her not to put money in the parking meter because people were already paying enough taxes. Chief Watt ordered an investigation, and the case made good publicity for the opponents of parking meters.[53]

On October 8, 1935, Boddie was fined $3.00 on each of two charges of not placing a nickel in a parking meter. Neuffer, who acted as his attorney, said that he would appeal the conviction to the criminal court of appeals if the county court upheld the police court conviction. However, since Boddie was really using the tactic of not placing money in the parking meter as a part of the amended petition Butterfield submitted in the injunction suit, the Boddie case did not become a test case.[54]

No further action was taken to create a test case until the late summer of 1936, when two separate violations were used. One involved Tom Chambers, an attorney who illegally parked in a taxi zone; when arrested, he contended that the city did not have the right to segregate parking zones. The other involved H. E. Duncan, a sign salesman, who did not deposit a nickel in a parking meter. Both men were committed to the city jail, and when James R. Eagleton brought habeas corpus action, it was refused. The Oklahoma City Police Department did not feel the offenses were serious enough to warrant a police record and did not even bother to keep a record of the cases. Though these were considered minor offenses, the stage was set for further court action.[55]

Chambers and Duncan appealed to the district court for a writ of habeas corpus. They had difficulty getting the court to meet, and the hearing was repeatedly delayed. Finally they were able to get a hearing on September 25, 1936. Eagleton, acting as

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[52] "Judge Mills Has Evidence in re Meter," *ibid.*, August 2, 1935, p. 15.

[53] "Watt Hears Two Policemen Knock Parking Meters," *ibid.*, August 3, 1935, p. 1.

[54] "Meter Conviction Heads Test Case to High Court," *ibid.*, October 8, 1935, p. 1; "Changes Made in Meter Suit," *Daily Oklahoman*, October 5, 1935, p. 4.

[55] Judges Will Gang Meters," *ibid.*, September 11, 1936, p. 3; "Parking Law Faces Delay," *ibid.*, September 4, 1936, p. 3; Hilton Geer to authors, November 2, 1967, in authors' possession.

their attorney, declared that he wanted to get a clear-cut decision so that the case could be taken to the state supreme court. Judges Hooker, Arnold, Giddings, and Mills listened to the presentation of the two cases. Eagleton contented that the regulation of traffic and streets was a state-wide concern and that municipal authorities, restricted to things local, had no right to regulate streets. The judges took the case under advisement and did not reach a decision at that time. The district court decided to deny the writ of habeas corpus, and Duncan applied to the Oklahoma State Supreme Court for the writ. Chambers joined Eagleton and acted as one of Duncan's lawyers in the case. The supreme court acted on the case on March 9, 1937, when Duncan was denied the writ of habeas corpus. The court said in effect that parking was not such an absolute right for which the city was prevented from charging a fee. The validity of the parking meter ordinance was upheld as a regulatory measure, but the decision might have been different had the ordinance been for revenue purposes. This was the final defeat in Oklahoma City for the opponents of parking meters. Eagleton did not push the case further, and no new action was taken in Oklahoma City against the validity of parking meters. With an eye on the Great Depression, the court still maintained that if the fees proved to be excessive, then the parking meters were not being used primarily for regulation. The Oklahoma City case did not decide the parking meter question statewide, and as late as 1961 the city of Lawton, Oklahoma, was involved in a court fight over parking meters.[56]

The success of a new invention is measured in part by its ability to capture the public's imagination. Aware of this, the promoters of parking meters devoted much time and effort to capturing the public's attention just preceding and immediately after the first installation of parking meters in Oklahoma City As early as May 8, 1935, almost two months before the first installation, the *Daily Oklahoman* printed a picture of Mayme Warren, a pretty Oklahoma City housewife, operating a demonstration model of a Dual Park-O-Meter.[57] The local newspapers seized upon the installation of the first parking meters as a novelty and consequently gave them free publicity in their pages.

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[56] "Parking Law Faces Delay," *Daily Oklahoman*, September 4, 1936, p. 3; "Judges Will Gang Meters," *ibid.*, September 11, 1936, p. 3; "Meter Issue is Up Today," *ibid.*, September 25, 1936, p. 3; "Decision is Delayed on Parking Meters," *ibid.*, September 26, 1936, p. 14; Roy H. Semtner to authors, August 31, 1967, in authors' possession; Ex Parte Duncan, 179A, *Oklahoma Reports* (Oklahoma City, Oklahoma: Harlow Publishing Co., 1937), pp. 356-358; "Parking Meters Ruled Valid by Court, But City Denied Profits," Oklahoma City *Times*, March 9, 1937, p. 1.

[57] "Here's the Park-O-Meter in Action—For a Nickel a Park," *Daily Oklahoman*, May 8, 1935, p. 2.

When a nine year old girl deposited a nickel in a parking meter on the first day of their use because she thought it was a gum machine, it made the front page of the Oklahoma City *Times*. The public cooperated in providing publicity, and before long people were playing bridge in parking spaces and ranchers were tying their horses to parking meters. These stunts, carried out after depositing the required nickel, made the newspapers. Whenever an embarrassing situation occurred concerning parking meters, the newspapers published the story. For example, Marvin Shahan and R. C. Clouse parked their British-made Austin automobiles in one parking space. The dilemma facing Oklahoma City patrolman J. P. Roughton when he attempted to ticket the autos presented a hilarious situation and focused more attention on parking meters. A motorist from Oilton, Oklahoma, submitted a poem about parking meters, and it was good enough to be printed in the Oklahoma City *Times*. News about parking meters was not confined to newspapers and periodicals. Cameraman Webber Hall of Fox Movietone News captured Ted Winneberger, a seven year old Oklahoma City resident, in the act of parking his soap box derby car at a parking meter, and this sequence made the weekly news film.[58]

These situations caught the public eye and provided publicity, but at the same time they afforded another service to the promoters of parking meters. In most instances the newspaper articles went on to explain how parking meters worked, and in this way provided valuable instruction on their use. The articles created an atmosphere that did much to counteract the bad publicity that parking meters were receiving in court fights and encouraged people to try them.

The task of providing and promoting parking meters was vigorously pursued by the Dual Parking Meter Company. Dual had been the first company to produce parking meters, and it continued to be the industry's leader until it was sold. One of the main flaws in the original meter was its reliance on a manual type operation. Hale and Thuesen had attempted to correct this difficulty by designing an improved model in 1935, but the Macnick Company worked out a parking meter which incorporated an automatic operation. When Magee called a meeting in Oklahoma City to discuss the merits of the two designs on December 31, 1935, McGay, Nicholson, Thuesen, and Hale attended. After discussing the good and bad points of each design,

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58 Baughman, "Park-O-Meter—Yea? Bah!" Oklahoma City *Times*, July 16, 1935, pp. 1-2; "It's Pay as You Park in Oklahoma City Now," Tulsa *Tribune*, July 18, 1935, p. 11; "Bargain Rate on Parking; Two for a Nickel?" Oklahoma City *Times*, August 3, 1935, p. 1; Samuel Knapp, "Meters," *ibid.*, July 22, 1935, p. 4; "Soap Box Driver Tries Meters, Lands in Movies," *ibid.*, July 22, 1935, p. 1.

it was decided to produce the automatic parking meter. Cooperation such as this enabled the Dual Parking Meter Company to retain its industrywide leadership in the pre-World War II period. While other companies were just beginning to prepare manual-type parking meters for the market, the Dual Parking Meter Company was already planning an automatic product.[59]

There was also the matter of payment. When Magee started selling parking meters, he took into consideration the feasibility of cash payments. He knew that in the Great Depression most municipalities would be reluctant to make a large capital outlay from already exhausted revenues, so he devised a time payment plan. An arrangement was made to lease parking meters to cities until the meters had paid for themselves out of parking revenues. The Dual Parking Meter Company got 85% of the income, and the city retained 15%. The city's percentage of the revenue was used to defray the cost of maintaining the parking meters. When the Dual Parking Meter Company had been paid in full, the city gained possession of the parking meters and from that time on all of the revenue went to the city.[60]

The amount of money paid by a city for parking meters varied with each transaction. The first parking meters were sold to Oklahoma City for $23.00 each by the Dual Parking Meter Company. The price of parking meters continued to rise until the spring of 1936. From this time on the standard price was $58.00 per meter. However, some cities continued to get them at bargain rates, and Mayor Martin of Oklahoma City demanded that the Dual Company supply the city with additional parking meters at $28.00 per meter. He cited the cooperation of Oklahoma City officials in promoting parking meters as a factor to be taken into consideration when arriving at a price. In this instance the Dual Company lowered its price to $33.00 per meter in December, 1935, for the second order of parking meters purchased by Oklahoma City.[61]

The methods used by the Dual Company to promote its product changed over the years. At first most of the promotion was done by Magee, and he usually went directly to city officials to make the lease and purchase arrangements. As time passed

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59 Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, pp. 133 and 135.

60 Interview of authors with Thuesen, Stillwater, Oklahoma, June 28, 1967.

61 Oklahoma City, Oklahoma, "Contract Between The Dual Parking Meter Company and the City of Oklahoma City, July, 1935," manuscript document, Traffic Control Office, Municipal Building, Oklahoma City, Oklahoma; "Martin to Demand Low Meter Price," *Daily Oklahoman*, June 10, 1936, p. 3; "Parking Meters Installed in 50 Cities," *Public Management*, Vol. XX (July, 1938), p. 212.

and the idea of parking meters caught on, it was necessary to expand the company's promotional techniques. In September, 1935, Magee announced that any city that wanted to evaluate the use of parking meters could contact him and he would send them a motion picture of the parking meter in operation. The film started with scenes of Oklahoma City streets before parking meters were installed and then showed the streets after the parking meters were operational. It also demonstrated how the machines were serviced and how the money was collected.[62]

The most ambitious effort made by the Dual Parking Meter Company to promote its product was a series of advertisements in nationwide periodicals. In October, 1935, the first advertisement appeared in the *American City*, a monthly independent journal devoted to cities. Other magazines selected for advertisements were those which would be read by a large number of city officials. The format of the Dual Company's advertisements did not change to any extent. Since this company was the parking meter industry's leader in sales as well as the first to produce a satisfactory product, these facts were used by the company to sell its product. The advertisements usually listed many of the cities that had purchased Park-O-Meters, and after competing companies entered the field, the advertisements began stressing the fact that the Park-O-Meter was the original parking meter.[63] In December, 1936, the first automatic Park-O-Meters were produced, and from this time on the company's advertisements stressed the virtues of automatic parking meters. The name change from Park-O-Meter to Dual Parking Meter in January, 1937, had little effect on sales because most of the advertisements still carried the name of Magee as the president of the company.[64]

Magee recognized the value of personal appeal and did not rely entirely on advertisements and movies to promote his parking meters. He hired salesmen to carry the message about the value of parking meters to municipal officials across the nation. The number one salesman for the Dual Parking Meter Company was J. Numa Jordy, whose enthusiasm knew no limits. He attempted to complete an arrangement with New York City which

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62 "Park-O-Meter Use Shown by Movie," *Daily Oklahoman*, September 1, 1935, Sec. A., p. 4.

63 "Your City Needs the Park-O-Meter," *American City*, Vol. L (October, 1935), p. 98; "Another Park-O-Meter City, Fort Worth, Texas is Now Installing 650 Original Carl Magee Meters," *ibid.*, Vol. LI (June, 1936), p. 108.

64 "Automatic Parking Meters, Control Parking, Aid Motorists, Help Business, Promote Safety and Traffic Enforcement," *ibid.*, Vol. LI (December, 1936), p. 110; "Read This Record," *ibid.*, Vol. LIII (July, 1938), p. 100; "Toledo Installs Automatic Parking Meters," *ibid.*, Vol. LII (January, 1937), p. 104.

would have grossed $11,600,000, and he also had plans to introduce parking meters in Paris, France, and London, England. Jordy was unsuccessful in convincing New York City officials that their city needed parking meters, but he continued to be the leading salesman for the Dual Parking Meter Company.[65]

Magee tried to convince city officials of Tulsa, Oklahoma, that parking meters would solve downtown traffic congestion in their city. In this instance there was an emotional appeal in that the Macnick Company was a hometown industry, and by purchasing parking meters the city would be creating more work for Tulsans. On September 12, 1935, Tulsa City Attorney H. O. Bland prepared a parking meter ordinance in anticipation of a favorable city council vote. The city council, however, rejected the purchase of parking meters on September 14, claiming that the money necessary for such a purchase was not in the city treasury. It looked like the parking meter ordinance would get a second chance when on September 17 a merchant's committee headed by G. H. Lehrman appealed to the city council to reconsider the September 14 decision. Russell Rhodes, manager of the Tulsa Chamber of Commerce, expressed the fear that if Tulsa did not buy parking meters, the Macnick Company would move to a friendlier city. The Tulsa city council took the appeal under advisement. The Chamber of Commerce and the Retail Merchants Association representatives continued to urge individual members of the city council to act favorably on a parking meter ordinance. When the city council met on September 23, the parking meter question was not discussed because a quorum was not present; and when the city council finally met on September 25, it voted three to two against including $8,600 in the city budget to install parking meters. The majority expressed the opinion that parking meters would be an additional tax burden on Tulsa motorists and that most of the revenue collected in the first year of operation would go to the Dual Parking Meter Company to pay for the parking meters. Some time would pass before parking meters were installed in Tulsa.[66]

A big boost in parking meter sales came from additional purchases by cities that were already using a limited number on their streets. Oklahoma City became the first city to make a

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65 "Nickel-in-Meter Regulates Parking," *Literary Digest*, Vol. CXXII (August 22, 1936), pp. 35-36.

66 "Parking Meter Measure Drawn," Tulsa *Tribune*, September 12, 1935, p. 1; "Tulsa Gets No Parking Meters," *ibid.*, September 14, 1935, p. 1; "Parking Meters Possible Again," *ibid.*, September 17, 1935, p. 1; "Parking Meter Urge Hinting New Action," *ibid.*, September 20, 1935, p. 1; "Quorum Absent so the Parking Meters Pass," *ibid.*, September 23, 1935, p. 1; Park-O-Meter out of Tulsa's Revised Budget, *ibid.*, September 25, 1935, p. 1.

second purchase of Park-O-Meters, when on December 17, 1935, the city council approved an additional installation of parking meters. Two hundred and ninety-eight additional parking meters were installed on Oklahoma City streets on December 20, 1935, and the city kept fifty-three parking meters in reserve to meet future requests. Repeat sales continued to be an important part of the Dual Parking Meter Company's total volume of business.[67]

When the Dual Parking Meter Company produced its first automatic parking meters, it encouraged city officials to install these new models or to trade their old manual type meters for credit toward the purchase price of the new automatic parking meters.[68] The Dual Company continued its steady industrywide leadership up to World War II. Before the war caused a shutdown in 1942, 71,393 parking meters had been sold, and 15,607 were returned as partial payment for new automatic meters.[69]

Once parking meters began to prove their value on Oklahoma City streets, competing firms commenced planning to produce parking meters. The first person who attempted to organize a firm to compete with the Dual Company was A. W. Glaze of Oklahoma City. He announced plans to organize the Universal Parking Regulator Company on October 15, 1935. Glaze called his parking meter a Park-O-Lator and claimed that it was superior to the Park-O-Meter because it resisted cheaters. Oklahoma City officials were able to evaluate the Park-O-Lator when they considered purchasing additional parking meters in December, 1935. They preferred the Park-O-Meter, nevertheless, and the Dual Company was able to win its first test against competition. The Dual Company continued to outsell its nearest competitor by a wide margin, and before World War II it sold more than one-third of the parking meters in the United States.[70]

Competition forced the Dual Company to constantly improve its product. The leading companies submitted their parking

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67 "Council Approves Budget Transfers," *Daily Oklahoman*, December 18, 1935, p. 11; "Take of Parking Meters is $221," *ibid.*, December 21, 1935, p. 1.

68 "Automatic Parking Meters Control Parking, Aid Motorists, Help Business, Promote Safety and Traffic Enforcement," *American City*, Vol. LI, p. 110; Vernon G. Agee, "Parking Meter in a Resort City," *ibid.*, Vol. LIV, p. 15.

69 Clarence E. Ridley and Orin F. Nolting, "Parking Meters," *Municipal Year Book 1942* (Chicago: The International City Managers Association, 1942), pp. 522-528; Hale, "The Park-O-Meter Story," manuscript in authors' possession, p. 5.

70 "New Parking Meter Ready," *Daily Oklahoman*, October 16, 1935, p. 9; "Competition Seen on Parking Meters," *ibid.*, December 1, 1935, Sec. A., p. 2; "Council Approves Budget Transfers," *ibid.*, December 18, 1935, p. 11; Hale, "The Park-O-Meter Story," manuscript in authors' possession, p. 5.

meters to torture tests to prove their worth. It was not illegal for competing firms to make wild claims about the virtues of their products in the pre-war period, for the parking meter industry did not have regulations until 1951, when the Federal Trade Commission announced a set of twenty rules. Many of the companies that could not back up their claims went out of business, while the older and more reliable firms continued to prosper. It became evident that in order to remain in business, the parking meter companies had to conform to the requirements of the customer; this resulted in better service to cities and to motorists.[71]

Before World War II, many Oklahomans applied for patents on devices that could be classified as parking meters. Some of them were never produced for sale, and others were impractical and could not satisfy the requirements of motorists or municipalities. Magee had applied for a patent on his first crude parking meter element on December 21, 1932, but the Thuesen-Hale design was so much more practical that he did not pursue the first design any further. Magee also applied for a patent on the Thuesen-Hale designed parking meter, the "Black Maria," on November 13, 1933. The device produced by the Macnick Company and modified by Thuesen and Hale was patented on May 13, 1935. This was the model that became the world's first operational parking meter on Oklahoma City's streets in July, 1935.[72]

Herman S. Johns of Oklahoma City patented three different types of parking meters. He patented a belt driven parking meter on December 6, 1935, and on December 21 of the same year he applied for a patent on the first electric parking meter. The patent rights for these meters were purchased by the Dual Parking Meter Company. On August 19, 1937, Johns applied for a patent on a parking meter which featured an illuminated dial housing; the patent rights on this meter were purchased by Wiley W. Lowrey of Oklahoma City.

Thuesen and Hale patented a parking meter on their own on March 9, 1936, and it was purchased by the Dual Company. Max M. Weaver of Oklahoma City patented a parking meter which recorded elapsed parking time on an electrically operated time chart. On March 27, 1937, Sam W. Long of Oklahoma City patented a parking meter model which was similar to the Dual

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71 "An All Weather Parking Meter," *American City*, Vol. LII (July, 1937), p. 117; "Improved Parking Meter," *ibid.*, Vol. LI (December, 1936), p. 109; "Trade Rules of Parking Meter Industry," *ibid.*, Vol. LXVI (May, 1951), p. 135.

72 United States Patent Office, *Official Gazette*, Vol. CDLXVI (May, 1936), p. 103; *ibid.*, Vol. CDLXXX (July, 1937), pp. 833-834; *ibid.*, Vol. CDXC (May, 1938), p. 838.

Parking Meter. Later that same year Harry Lewis Long of Oklahoma City patented a parking meter which used an oil flow mechanism as a timing device. Both of the Long patents were purchased by Miller Meters, Inc., of Chicago, Illinois. Oklahomans contributed much to the early growth of the parking meter industry through their meter inventions and patents. Although not all of the models built by Oklahoma inventors were manufactured, they all contributed to a better product.[73]

However efficient the parking meter was, if it did not aid in controlling traffic in a congested area, then it was, as some critics claimed, nothing more than a means of collecting more taxes. From the beginning, Oklahoma City officials had recognized the need to determine whether or not parking meters were fulfilling their primary purpose, and on August 11, 1935, City Manager Mosier instructed Jeff Lambert, a city employee, to conduct a pertinent survey in Oklahoma City.[74] A second reason for the survey was to determine whether merchants and motorists were accepting parking meters, When Lambert submitted his findings to Mosier on August 26, 1935, the results were very favorable for parking meters. Lambert observed that in non-metered parking zones 60% of the automobiles were owned by merchants or people who worked in the downtown area, and that very few of the motorists parked in these zones were shoppers. After making repeated observations on the same non-metered streets, he found that the same automobiles remained. When observing metered zones, Lambert found a sharp contrast. There he noted a rapid turnover of automobiles in parking spaces, and an even flow of traffic. Lambert praised parking meters in his report and said that they were the answer to Oklahoma City's parking problems. Mosier also wanted a survey to back up his proposal to extend the use of parking meters in Oklahoma City, and this study gave him the evidence he needed.[75] He believed that Oklahoma City should have 1,808 parking meters to control all of its limited parking zones. He installed them a few at a time and waited for the public to recognize a need for them in a new area before he authorized additional installations. The parking problem in Oklahoma City showed a marked improve-

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[73] *Ibid.*, Vol. CDLXXII (November, 1936), p. 862; *ibid.*, Vol. CDLXXX (July, 1937), p. 799; *ibid.*, Vol. DXXXIX (June, 1942), p. 127; *ibid.*, Vol. CDXCVI (November, 1938), p. 800; *ibid.*, Vol. D (March, 1939), pp. 1017-1018; *ibid.*, Vol. DXIII (April, 1940), p. 1104; *ibid.*, Vol. DXL (July, 1940), p. 90.

[74] Jeff Lambert, "Survey of Parking Meters in Oklahoma City, August 26, 1935," p. 1, manuscript document, Thuesen Collection, University Archives, Oklahoma State University Library.

[75] *Ibid.*, pp. 1 and 2; "Mosier Asks Data on Effectiveness of Parking Meter," Oklahoma City *Times*, August 12, 1935, p. 1.

ment by the spring of 1936, and by then the city had installed additional parking meters.[76]

One obstacle which parking meters had to surmount was the desire by the motorist to cheat the meter by inserting a slug. This problem was eliminated through the foresight of Thuesen and Hale, who made the last coin deposited visible through a window in the head of the parking meter. The motorist would also try to stop the handle on the meter before it completed its movement, which would enable him to park an unlimited time without using another coin. The Thuesen-Hale principle of making a mechanism which forced the user to push the handle far enough to enable the device to store enough energy to complete the cycle forestalled any attempt to gain free time by this method.

Before the installation of parking meters, many cities were plagued by the all-day parker. The fact that 80% of Oklahoma City parkers stayed in one parking space all day was one of the prime reasons Magee turned to parking meters as a solution to this problem. Although the parking meter was not infallible, it was much more reliable than police efforts to control all-day parking by chalking tires.[77]

Not all motorists could be relied on to keep an accurate record of their parking time in metered zones. The knowledge, however, that a device was recording the elapsed time served to remind more parkers than ever before that they had a limited period to park. Overtime parking tickets issued in metered zones were much fewer than overtime parking tickets issued in nonmetered zones.[78]

Parking meter violation control rested primarily on the traffice patrolmen and their acceptance of parking meters. When the meters were first installed in Oklahoma City, some policemen were reluctant to enforce regulations. As time passed and parking meters became widely accepted across the nation, this attitude changed, and policemen learned to accept the parking meter as an ally. The timing mechanism in parking meters was quite reliable and did not show any favoritism, thus making it

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[76] O. M. Mosier, "Our Experience with Parking Meters," *American City*, Vol. LI (January, 1936), p. 97; "Regulating Parking by Meters," *Public Management*, Vol. XVIII (February, 1936), pp. 43-44.

[77] Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, pp. 115, 121 and 123.

[78] Simpson, "When, Where and How Should Parking be Restricted," *Institute of Traffic Engineers Proceedings for 1938*, pp. 30-32.

easier for patrolmen to defend their reasons for writing parking violation tickets.[79]

It is doubtful that the parking meter system would have begun without the prospect of raising municipal funds through metered parking. Oklahoma City officials were much in need of additional revenue for the city's coffers when they began to consider installing parking meters. Without the anticipation of new revenue to compensate for the loss of tax money through an ever-decreasing tax base, Oklahoma City very likely would not have been willing to spend money on an untried method of parking control.[80]

From the first day of operation, the revenue received from parking meters in Oklahoma City was encouraging to city officials. City Treasurer Joe Ammerman announced that the city had received $85.73 in revenue on the first day of parking meter operation. This was an average of forty-nine cents for each meter. Ammerman's precise announcements of parking meter revenue earned him the title of "Jitney Joe," but he continued to systematically report all parking meter revenues to the people of Oklahoma City.[81]

At this rate it was obvious to Oklahoma City officials that parking meters would provide a much needed boon to the city's treasury. Parking meter revenue, however, fluctuated with seasonal traffic movement into the downtown area. By October, 1935, the parking meters were not producing as much revenue as in September, but even with this slight decline in revenue the city was able to pay for all of its parking meters in two and one-half months. This was a strong argument to back the purchase of additional parking meters, and when the second order of parking meters went into operation on Oklahoma City streets, this faith was justified. On the first day of operation of the 472 parking meters, the city collected $221.85 in revenue. Basing calculations on this daily revenue and taking into consideration seasonal business slumps, F. G. Baker, the Oklahoma City auditor, predicted that the parking meters would bring $55,000 annually in additional revenue to the city treasury. This estimate

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79 "Watt Hears Two Policemen Knock Parking Meters," Oklahoma City *Times*, August 3, 1935, p. 1; Simpson, "When, Where and How Should Parking be Restricted," *Institute of Traffic Engineers Proceedings for 1938*, p. 28.

80 "Mosier Faces Problem of Finding New Revenues to Replace Shrinkage in Income," *Daily Oklahoman*, April 27, 1935, p. 9.

81 "It's Pay as You Park in Oklahoma City Now," Tulsa *Tribune*, July 18, 1935, p. 11; "Revenue in Parking Meters Tops $115," *Daily Oklahoman*, July 19, 1935, p. 9.

was quite accurate because in December, 1936, Oklahoma City was sure of at least $60,000 in parking meter revenue.[82]

The amount of money collected depended on the type of parking meter used. It was important to have a machine that continued to operate in all kinds of weather and could withstand punishment. The introduction of automatic parking meters eliminated some of the difficulties motorists had in operating the manual type. A parking meter that needed little maintenance or repair would continue to produce revenue, and the motorist would be more satisfied with it than one which was subject to constant breakdowns.

The amount of time allowed in each parking zone was likewise a factor in determining how much revenue was collected. When parking meters were first installed in Oklahoma City, the motorist paid five cents an hour in all metered zones. Also the time allowed in each metered parking space did not particularly conform to the needs of the motorists. After Lambert took his survey in August, 1935, Mosier concluded that the time period permitted in metered zones should be correlated with the time requirements of the location. Mosier then took steps, with the Oklahoma City Traffic Commission concurring, to limit the parking time in front of banks, for instance, to thirty minutes. This would enable more motorists to use the facilities of the banks, and the time allowed was enough to transact normal business. The five-cent fee remained, so it was possible to collect twice as much money from parking meters installed in front of banks than from those installed throughout other parts of the downtown area.[83]

Although five cents was the usual fee charged for parking, there was no specific reason why this coin had to be used in all parking meters. Magee maintained from the start that he had decided on a nickel because he had to start with some coin, but as long as the denomination was small, it did not matter what coin was used.[84] As time passed, penny parking looked like a solution to the high cost of parking in a short period metered zone. Another innovation was the introduction of parking meters which would take more than one type of coin. These meters

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82 "Parking Payments Decline Slightly," *ibid.*, October 13, 1935, Sec. B, p. 7; "City Counts on $500,000 Surplus to Make Extensive Municipal Improvements," *ibid.*, December 6, 1935, p. 6; "Take of Parking Meters is $221," *ibid.*, December 21, 1935, p. 1; "City Revenue for 5 Months Tops Million," *ibid.*, December 13, 1936, Sec. A, p. 27.

83 "Park-O-Meters Start a Controversy: Oklahoma City Split into Two Camps," New York *Times*, July 21, 1935, Sec. 2, p. 1; "Parking Time to be Longer," *Daily Oklahoman*, September 14, 1935, p. 1.

84 "Court Ruling May Legalize Coin Parking," *ibid.*, July 24, 1935, p. 2.

usually took one cent for each twelve-minute time period, five cents for an hour, and ten cents for two hours. They worked quite well and were satisfactory to the motorists.[85]

Parking meter violations raised the question of deciding on penalties. Oklahoma City officials maintained that a light fine would be both effective and in keeping with the nature of the violation. Oklahoma City had rejected the original proposal of a $20.00 violation fee, and eventually motorists were fined $1.00 for over parking in a timed zone. This worked quite well. Another method was to impose a small fine for the first offense and continue to raise the amount for each subsequent violation. Most cities made it possible for the offender to mail his fine to the police department, and this eliminated the need for a traffic court to be in session all the time. The fines were enough to make the motorist hesitate before violating a parking meter, and small enough not to cause undue hardship on the parker.[86]

Another question for Oklahoma City and other municipal governments to consider was the use of parking meter revenue. These monies could be put in the city treasury and used to defray day-to-day municipal expenses, but this would only serve to reinforce contentions that parking meter fees were just another tax. One solution to the problem was to allocate parking meter revenue for traffic purposes. Cities were able to upgrade their safety programs and employ additional traffic control personnel. When motorists could see improvements being made to relieve traffic congestion and aid in speeding up traffic flow, they were much more willing to pay for the privilege of parking on city streets.

Collecting parking meter coins did not pose any difficulty, for the Dual Company had foreseen the problem and incorporated an ingenious gathering system in their parking meter. The nickels fell into a tube located below the head of the parking meter. When the coins were collected each day, the tube was replaced with an empty one. The sealed, used tubes were marked and taken to the city treasurer's office, where the city was able to keep an accurate record of how much money was deposited in each parking meter. This procedure also allowed the City of Oklahoma City and all other cities that installed parking meters to evaluate the performance of each parking meter: it could be determined whether a parking meter was actually needed in a

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[85] R. F. Agard, "Pennies Add Quickly to Parking Dollars," *American City*, Vol. LV (October, 1940), p. 99.

[86] "Tom McGee Fined, But Likes Meters," Oklahoma City *Times*, July 31, 1935, p. 1; William M. Healy, "Light Fines Made Meters Effective and Popular," *American City*, Vol. LV (July, 1940), pp. 46-47.

specific location and what time limit should be set on any particular parking space.[87]

When parking meters were first installed on Oklahoma City streets in 1935, no one knew with any degree of certainty what effect they would have on traffic control or on commercial activity in the downtown area. Merchants believed that the traffic congestion in the downtown area was undesirable for their businesses before the installation of parking meters, and this was one of the reasons that prompted the Oklahoma City Chamber of Commerce to ask Magee to find a solution to the parking problem.[88] Thus City Manager Mosier was anxious to determine if the downtown businessmen of Oklahoma City supported the installation of parking meters. When he instructed Lambert to make a survey of the effectiveness of parking meters in August, 1935, one of the purposes of the study was to determine whether businessmen in the affected area supported parking meters. When Lambert submitted his findings, it was evident that parking meters had won an overwhelming vote of confidence from downtown businessmen. All bankers, building and loan executives, and hotel managers interviewed favored parking meters. One hundred and twenty-three merchants were in favor of parking meters and only four voiced disapproval. They were asked if any changes should be made in the system, and some thought that there should be minor variations. For the most part, however, the merchants were satisfied. Most of the changes they recommended were concerned with a variation of time limits, depending on the business establishment affected.[89]

Mosier used the information submitted by Lambert to revise parking limits in timed zones. Most metered parking spaces retained their one-hour limit, but spaces near banks were designated as half-hour zones. Mosier's compliance with requests voiced by businessmen helped increase the popularity of parking meters in the Oklahoma City business community.[90]

Mayor Martin did not want to use the information obtained in the Lambert survey when he was asked by city officials all over the nation to provide them with an analysis of the effectiveness of parking meters in Oklahoma City. Martin did not wish to involve the city in advertising the product of the Dual Parking

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87 "Record Falls," *Daily Oklahoman*, August 7, 1936, p. 4; interview of authors with Thuesen, Stillwater, Oklahoma, June 28, 1967.

88 Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. LXV, p. 115.

89 Lambert, "Survey of Parking Meters in Oklahoma City, August 26, 1935," pp. 1-9, manuscript document, Thuesen Collection, University Archives, Oklahoma State University Library.

90 "Parking Time to be Longer," *Daily Oklahoman*, September 14, 1935, p. 1.

Meter Company. Thus in October, 1935, he asked the Oklahoma City Chamber of Commerce to take another public opinion survey, and this body appointed J. M. Gayle to direct the study. It lasted three weeks, and the results showed another victory for parking meters. Businessmen who favored parking meters outnumbered opponents 146 to twelve. Again the businessmen had some suggestions for improving the parking meter system, but now they were clamoring for an extension of metered zones. Mosier persuaded the city council to act favorably on this request, and by December 20, 1935, Oklahoma City's second battery of parking meters was in operation.[91]

Perhaps the most important segment of the population with regard to parking meter reaction was that of the private citizen. He would need to use the parking meter when he conducted his business in the downtown area, and his acceptance of the system was vital to its success. Mosier and Magee were aware of the importance of the acceptance of parking meters by motorists, and even before parking meters were first installed in Oklahoma City, they had tried to prepare the public for the experiment by a series of newspaper advertisements and radio broadcasts.[92]

When Magee had appealed to the people of Oklahoma City in an open letter concerning parking meter installation published in the *Daily Oklahoman,* he had directed his reasoning toward motorists. Mosier, too, was as interested in the opinions of private citizens as he was in those of businessmen. When he asked Lambert to take a public opinion survey on the acceptance of parking meters, he instructed him to include the opinions of motorists. Lambert found that of thirty-nine motorists interviewed, thirty-seven were in favor of parking meters, while only two were opposed to the idea.[93]

When the Oklahoma City Chamber of Commerce took its parking meter survey in November, 1935, it found that 75% of the motorists interviewed favored the meters. Oklahoma City motorists who opposed parking meters did so for a variety of reasons. A majority of those opposed said they did not favor the experiment because they disliked Magee, while others shared

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91 "Survey of Public Stand on Parking Meters is Slated," *ibid.*, October 4, 1935, p. 21; "Coin Parking Survey Vote is Favorable," *ibid.*, November 26, 1935, p. 14; "Take of Parking Meters is $221," *ibid.*, December 21, 1935, p. 1.

92 "Regulating Parking by Meters," *Public Management,* Vol. XVIII (February, 1936), p. 44.

93 "Concerning the Park-O-Meters," *Daily Oklahoman,* July 26, 1935, p. 11; Lambert, "Survey of Parking Meters in Oklahoma City, August 26, 1935," pp. 1-9, manuscript document, Thuesen Collection, University Archives, Oklahoma State University Library.

the opinion of Butterfield that parking meters were illegal, or that they imposed undue financial hardship.[94] By the eve of World War II, however, most Oklahoma motorists had accepted parking meters. They realized that they performed an adequate job in controlling onstreet parking and for that reason they overlooked the five cent fee which continued to enrich city treasuries. The revenue produced by parking meters in cities like Oklahoma City enabled municipalities across the nation to refrain from increasing existing taxes or imposing new ones in the Great Depression period.

The invention of parking meters created a new industry for Oklahoma. The production and sale of over 71,000 parking meters in the pre-World War II period represented a significant increase in the development of light industry in the state. The production of parking meters in Tulsa and their promotion and sale in Oklahoma City provided steady employment for hundreds of Oklahomans in the 1930's. When many Oklahoma industries were idle or producing at reduced capacity, the new parking meter industry was expanding and taking up some of the slack of the Great Depression.

The first practical parking meter was invented by Oklahomans, produced by Oklahomans, and sold by Oklahomans. When Thuesen and Hale built their parking meter model at Oklahoma State University in 1933, they produced a quality product. Magee knew that in order to sell his meters and continue nationwide sales leadership, he would have to produce a superior product and utilize the most modern sales and promotional techniques. He did not hesitate to spend money when he thought he could increase sales, nor was he reluctant to improve his product and to buy patent rights on new parking meter designs: the Dual parking meter stayed far ahead of its competitors in design, durability, and practicability. The parking meter is one outstanding example of the creative ability of Oklahomans willing to put their faith in a machine to overcome a man-made problem.

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94 "Coin Parking Survey is Favorable," *Daily Oklahoman*, November 26, 1935, p. 14; Lambert, "Survey of Parking Meters in Oklahoma City, August 26, 1935," p. 2, manuscript document, Thuesen Collection University Archives, Oklahoma State University Library.

NOTES AND DOCUMENTS

Civil War Sites in Oklahoma and Other Reprints from The Chronicles for Sale

Special reprints from *The Chronicles* are for sale at the desk in the front lobby of the Oklahoma Historical Society Building, or can be ordered by addressing the Business Manager, Mr. Elmer L. Fraker, Oklahoma Historical Society, Historical Building, Oklahoma City, Oklahoma — 73105. Titles of available reprints (paper back except where otherwise noted) with the price of each (add 10c for postage) include:

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Oklahoma City, from Public Land to Private Property. By Dr. Berlin B. Chapman ----------(Hard back) ----------$3.00

Rural Education, 1902: The Clayton School

Mr. Frank D. Hall of Mount Dora, Florida, has contributed some observations on rural education during Oklahoma territorial days and his experience as a teacher at Clayton District School located 3 miles west of Ripley and 2½ miles south of Mehan, both on the Santa Fe Railway in Payne County. Mr. Hall attended Oklahoma A. & M. College in 1899-1902, served as president of his class, and afterward attained national recognition as an appraiser of real property. He lectured on the subject at institutions like Columbia University, his autobiography *To Whom it May Concern,* 1963, containing chapters on conditions following the land opening in the "Run of 1889." Mr. Hall was with the Equitable Life Assurance Society of New York for eighteen years, and is past National President of the American Institute of Real Estate Appraisers.

RURAL EDUCATION IN OKLAHOMA TERRITORY

Pioneers in Oklahoma engaged in business ventures, leading sometimes to over-expansion. Such was the case of my father, George W. Hall, at Stillwater when in 1898 he bought a vacant lot at corner of Main Street and 7th Avenue and erected a two-story retail store building with his law office on the second floor.

To finance construction he obtained a loan secured by a first mortgage thereon. He was then persuaded to add a third floor which put him in further debt, all in the expectation that the additional rent from office tenants on the third floor would meet the additional debt charges. This was a grievous mistake. The resistance of office tenants to walking up two flights of stairs was too great. After vacancies there was not enough income to pay the additional taxes, insurance and debt service. In spite of a growing law practice, dad was found in default on the mortgage.

In after years, as an appraiser and assistant lending officer in the home office of the Equitable Life Assurance Society, I found this mistake repeated many times. The third floor on Main Street commercial buildings seldom produces an income equal to the increase charges, leaving nothing for interest or depreciation reserve on the additional construction cost. I have often characterized such third stories as the first mortgage on the property, although not so disclosed in the title search.

This observation is recorded not as a lesson in economics but as an introduction to a recital of my limited experience as a country school teacher at the time I was a student in Oklahoma A. & M. College, class of 1903, fully intending to graduate with the class. Some of dad's worry over the threatened loss of his building by foreclosure rubbed off onto me, the oldest of his children. My ten cents per hour earnings as student assistant in the college library afforded no real help and I was forced, most reluctantly, to the decision that it was my family obligation to give up my college career, at least for a time and find employment where I could assist in meeting the mortgage payments.

I confided the decision to Charles L. Keezer, a close friend and county superintendent of schools. He said that if I must leave college, he

had a job for me as teacher of Clayton School located about twelve miles from our home in Stillwater. He explained that four or five of the older boys in the school, resentful of school discipline, had made so much trouble as to cause the last two teachers to abandon the school.

Keezer had been unable for several weeks to find anyone willing to take the job because of the reputation of the school. He wanted me to finish the remaining four months of the term. He assured me of his support as well as that of the local school board who had become aroused because of their inability to keep school in session.

The job did not seem very inviting but it was a challenge, and the salary of $45 per month was better than anything else in prospect. I learned that a widow living in a log cabin near the school would give me three meals per day and a bed and table in the attic for $15 per month. This would leave almost $30 per month as an addition to the family income, and I agreed to accept the job if the local board confirmed the offer.

Then followed a visit with Keezer to the school and an interview with the three local farmers comprising the board. On looking me over, they expressed doubt of my ability to maintain discipline. I was of slender build, weight 135 pounds, and not as large as the boys responsible for "running out" the two former teachers. The board wanted a teacher large enough to throw the fear of punishment necessary for any occasion.

Keezer came to my defense with the assurance that if board members would personally attend, with him, the opening session and say to the students that they were back of the new teacher, he was certain that I could handle the situation. On that assurance they offered me the job. A contract was signed and a day appointed for reopening school. This was early in February, 1902, and my college career ended in the middle of the junior year.

On the morning of opening the school, I found about forty pupils in their accustomed seats, the first graders in front, ranging back to the seventh graders in the rear, all anxious to see the new teacher. We had a frame building.

Keezer introduced me with laudatory remarks about my ability and educational background. Recalling my feelings at the time, it seemed that while there was some warrant for my background, his characterization of my ability as a teacher must have been prompted only by our personal friendship. He emphasized the importance of an education that would be helpful all their lives, and that it was my job to help them in this endeavor which required their cooperation in maintaining order. He deplored the reputation Clayton School had obtained, and closed with the statement that if there were any further demonstrations of unruly conduct he had assurance of the county prosecuting attorney that he would issue warrants for the arrest of all guilty parties, and on conviction, see to it that they be put in jail.

Then the chairman and spokesman of the board (who I afterward learned was the father of one of the gang making trouble for the former teacher) speaking with a German accent, displayed a half dozen apple sprouts to be used as switches, which he hung under the blackboard back of my desk. He warned students that I had orders to use them on any pupil who refused to mind me. Pointing to his son, he turned to me and said, "Teacher, that goes for my boy. If he don't mind you, lick hell out of him, and when he gets home he will get another licking."

The visitors departed and I was left with the pupils. Many of them were in what would now be called an underprivileged class. Two of my students had fathers serving terms in the penitentiary, and we were in an environment not conducive to discipline. How mothers, living on rented farms, managed to support families, I never knew. All children in the community had to help out with chores, and when large enough, work in the field. This developed a spirit of self-reliance, a good substitute for the government welfare of today. Someday I hope to visit the Clayton community and see if I can find any of my students, in all probability now grandparents, and see how their outlook on life may have changed.

A typical school day began with a song or two. I borrowed Dad's tuning fork which helped me lead in singing. Then followed recitations by the pupils on the front row of seats reserved for that purpose. First graders came first and by late afternoon the sixth and seventh grade recitations completed the day's work. Recitations were interrupted by a forenoon and afternoon recess period. There was an hour or more at noon for lunch and play. Students walked to school, some a distance of one and one-half miles, which with the three periods of outdoor play gave plenty of exercise, so that we did not miss the gymnasium which we find in schools today. Now we haul children to and from school in buses and build gymnasiums to give them exercise. As I look back, I believe that Clayton School turned out students in as good and healthy condition as do schools of today, and at a substantial saving to taxpayers.

The game most popular with boys and some of the girls was "town ball." As distinguished from baseball, it was played with a ball made of twine wrapped solidly around a small rubber ball, and a homemade bat or two on a diamond laid out like that for baseball. All that was required to get a base runner out, was to throw the ball between the runner and the base toward which he was going. In the game, no basemen or gloves were needed, only a ball, a bat and plenty of fielders, a pitcher, a catcher far enough from home plate to catch the pitched ball on first bounce, and a "pig tail" to retrieve the balls missed by the catcher. Captains were selected to choose up sides.

I joined in the sport like one of the pupils, but was never an early choice of the captains on either side. I got as much fun as the best of them, and I think that by putting myself on their level, I won their friendship and loyalty. When the bell rang for resumption of school, I was no longer one of the boys but their teacher whose every command was respected.

For my salary of $45 per month I was not only teacher, but janitor and truant officer as well. The latter was not mentioned in the contract. At four o'clock school was dismissed and my janitor duties began, first by sweeping the floor, shaking down the grate in the pot-bellied stove, taking out the ashes and bringing in a scuttle of coal and corncobs for kindling the next morning.

After supper with the widow, I would climb up the ladder to the attic for a period of reading, preparing lessons for the next day, or questions for sixth or seventh grade examinations, or grading the answers. Then early to bed. After an early breakfast I would walk or ride my wheel to the schoolhouse, start the fire in the stove, dust the desks and seats, and ring the first bell. If enough boys arrived early, I joined them in a bit of town ball until time for the last bell.

If pupils were absent more than one day, I would find time to visit the home and express concern in the event of sickness, or use my per-

suasive powers on the youngster who "didn't want no more schoolin'." This gave opportunity to get acquainted with some of the parents who felt honored that the teacher would show that interest in their child.

If weather permitted I would now and then ride my wheel on the dirt road some twelve miles to Stillwater and spend the weekend at home. Once I borrowed from the college a microscope and a number of slides which I had developed in the biology laboratory, and after school had the seventh graders examine the slides through the microscope. This gave opportunity to arouse interest in higher education. I remember that two of the oldest boys became so interested as to declare their determination to go to college if they could pass the entrance examination and meet the expense. The boys were among those who had been trouble makers prior to my term, having then no interest in school or college. A few years later I met a man from the Clayton area who informed me that both boys finally realized their ambition.

At the end of the term the board urged that I renew the contract for another year at a slight increase in salary, but teaching did not appeal to me as a vocation. I could not see at the day's end where the kids had learned enough to warrant the time and efforts of the day. I suppose all teachers have at some time experienced the same feeling of frustration. They must have patience to look back over a longer period than one day, and I did not have the patience.

However, I think my experience at Clayton School was well worthwhile. I probably learned more than my pupils. I formed a real attachment for some of them, especially for underprivileged youngsters living in near poverty and without parental direction. They were in need of a counseling friend for encouragement and direction, and I did my best to be not only a teacher but such a friend. I have never gone back to see to what extent I may have succeeded, but it was with a feeling of sadness when on the last day of school I had to tell them "good-by."

Such was the operation of a country school a dozen years after the Run of 1889. Some comparison may be made with schools of today, I am thinking of the problem of school discipline, in those states where the fear of corporal punishment no longer exists, as in Brooklyn and other sections of New York City. When I read how teachers live and conduct classes under the threat of beating and of other physical violence, the total indifference of the public, and little more than a slap on the wrist for culprits, I wonder if a good sound whipping in the presence of the school body, administered not necessarily by the teacher but by someone representing school authority, would not, as at Clayton, help solve the problem.

I have great admiration and respect for the teacher dedicated to the task of imparting not only factual information necessary for his or her material welfare, but also having the responsibility of good citizenship, by observance of all rules of society. However, I have to ask myself: "Is the teacher who, acting in concert with others, and who takes upon himself the right to decide what laws he should respect, and those he need not obey, any better than the student who decides what school regulations he should regard, and those he need not obey." I consider it most fortunate that I was not urged to break my contract or threaten to resign unless I was paid for my work as janitor and truant officer. I had no time for such thoughts, and had I yielded to such urging I would have become a deserved outcast in the community and in the profession.

—Frank D. Hall

Notes from The Studebaker Story in Oklahoma

A letter to the Editor dated April 10, 1969, from Mary E. Studebaker of the "Studebaker Family National Association," gives some notes on a Studebaker who made the run in the Cheyenne-Arapaho land opening, George Harris Studebaker:

"He took patent to the SE¼ S. 3, T 11 N of R 8 West of the Indian Meridian, Canadian County, Oklahoma, on April 19, 1892. Seventy-Seven years ago this month.

"He lived in his covered wagon while he dug his well first thing. Then he built a two room house.

"Later he built a store on the south side of the Canadian River. He named his little store-postoffice 'Teddy' in honor of Teddy Roosevelt. The account goes on to relate that he obtained Dr. Henry Masters to come and serve the community and gave the doctor space in the store."

The Chronicles listing "First Post Offices within the Boundaries of Oklahoma" (by George H. Shirk, Vol. XXX) gives the following data on an early post office and name of its first postmaster, in Canadian County: "Tedda [*sic*] Canadian — 30 August 1904 — George H. Studebaker."

Mary E. Studebaker of Indianapolis, Indiana, (Headquarters —781 West Drive, Woodruff 46201), who edits and publishes *The Studebaker Story* for the National Association, gives other interesting genealogical and historical notes in this quarterly leaflet for April 1, 1969 (Vol. V, No. 2):

Found: The Lost Tribe

We have told you of the Studebakers in Pennsylvania who, in the later 1700's removed to Kentucky, later dropping the first part of the surname and thereafter became Bakers.

This lost tribe of Studebakers has fascinated us and, as head of the Studebaker book, we hoped to find these Bakers and take them back into the clan.

In the book "The Cornstalk Militia" we found Jacob Studebaker, Capt. of the 40th Regiment, Ky., Sept. 17, 1800. We saved this item, hoping for time to search Kentucky records in Indiana State Library.

Recently contact was made with a descendant of this Jacob Studebaker who, after 1810, began using just BAKER.

Headquarters now has lineage and documented proof of the Kentucky Bakers leading back to Jacob Studebaker: Jacob in 1st Penn census.

p. 265, Westmoreland Co., No. Huntington Twp. was son of Peter Studebaker, p. 278, York Co., Reading Twp "born Germany". — Thanks to Mrs. James B. McEuen, Cuyahoga Falls, Ohio . . .

Bendix Gives Park

From the air can be seen the huge green letters which spell out the name: STUDEBAKER. It's on the timbered ridge near South Bend, of the former Studebaker Proving Grounds.

In 1926 the land was part of Studebaker Corporation's 800 acre automotive testing facility. In 1966 Bendix Corporation purchased the area as a testing facility for automotive systems produced by Bendix.

The 175 acres in the NW corner was given to residents for their use and pleasure to be known as The St. Joseph County Park.

Chas. E. Heitman is vice-pres. and John R. Coxeter, public relations manager. Letter from them states the gift includes 20 room lodge; name change to Bendix Woods County Park or shortened to Bendix Woods; picture of ski slope with sledding & ice skating; and picture of winter shelter house.

The park has virgin timber, lagoon, picnic and play areas, group camping, a pine forest, and hiking trails. It's filled with beauty from flowered meadows to "The Black Forest," a stand of dense hemlocks. The Bendix Corporation is to be congratulated for its fine gift to northern Indiana.

BOOK REVIEWS

Controversy In The Twenties: Fundamentalism, Modernism, and Evolution. Edited by Willard B. Gatewood, Jr. (Vanderbilt University Press, Nashville. 1969. 459 pp. $10.00).

At the end of the 1960s we have a generation that is familiar with the "God Is Dead" controversy and the struggles within the churches, not only in America but around the world. This same generation can now look back with sympathetic interest upon the modern fundamentalist struggle of the 1920s. Accustomed, however, to missiles and moonshots, we are likely to dismiss the most dramatic aspect of that struggle, the disturbance over evolution, as merely another of the quaint antic so prevalent during the "era of wonderful nonsense."

Threatened by the cultural and scientific changes that followed World War I, American Christianity split into two factions, each convinced of its validity. The fundamentalists opposed, with sincere, though often comical, zeal, those ideas and practices which they held responsible for the breakdown of traditional codes. With historic faith pitted against the Social Gospel and Darwin alternating as a target and rallying point, hardly an area of American life remained untouched. Embattled educators and scientists rose to defend themselves, legislators bowed to their constituents, journalists editorialized, poets protested, and neo-orthodoxy was born.

This new book, *Controversy in The Twenties . . .* encompasses sixty-eight selections from books, magazines, newspapers, legislative records, debates, and other original sources of the era, all supplemented by Dr. Gatewood's extensive introduction and sectional commentaries. He records the views of William Jennings Bryan, Gerald W. Johnson, Reinhold Niebuhr, Maynard Shipley, Kirtley F. Mather, Walter Lippmann, Billy Sunday, Joseph V. Denney, Carl Van Doren, Joseph Wood Krutch, and many other personalities in the headlines of the twenties.

Though evolution became the focus of the struggle, man's descent from the monkeys was really a side issue, in Dr. Gatewood's opinion. The fundamentalists were not to be shaken loose from their literal interpretation of the Bible. To them, the opposition represented Communism, war, the decline of the American family, and the loss of man's dignity and moral responsibility. Modernists, on the other hand, were anxious for reconciliation and bent on accommodating the Church to science and secular

forces, an inadequate approach in itself, according to even more modern theologians and those humanistically inclined. Where Church ends and State begins, whether the teacher is independent of both taxpayer and preacher, whether science and religion are on the same track but steering individual courses, or how much science itself experiences limitations—none of these questions was decided by the fundamentalist-modernist conflict. While the battle may never be resolved, future generations may profit from it.

Massacre! By Frank Laumer. (University of Florida Press, Gainesville, 1968. Pp. 187. $7.50.)

This is the dramatic story of the massacre of Major Francis Langhorne Dade and one hundred and five officers and men of his command — an event which marked the beginning of the long and costly Second Seminole War. Using every reference source available the author covers the commands ill-fated march on the military road from Fort Brooke on Tampa Bay northward to Fort King — a march brutally ended on December 28, 1835, by Seminole warriors.

The route of the march was through the heartland of the Seminole nation. The Indians, whose adamant refusal to move to the West had precipitated a crisis in Florida, had been waiting a year to strike at American forces. As Major Dade moved his command out of Fort Brooke on December 23, the Indians secretly watched along every step of the way. Jumper, Micanopy and Osceola were three leaders of the Seminole resistance.

Mr. Laumer has done an outstanding job of research and has used all available known material relating to the Seminole Wars in Florida. One scarce document used was a little booklet called, "The Surprising Adventures of Ransom Clarke Among the Indians of Florida." Ransom Clarke was a survivor of the Dade march and once gave a series of lectures about it. The author should also be complimented on the work that he has done in presenting the facts of this battle and in helping with historical research on the battleground.

For too long the tragic warfare between the Seminoles and the United States Army has been overshadowed by engagements west of the Mississippi River. In his introduction, the author states that the Florida War was the longest, costliest and bloodiest Indian war in United States history spanning almost seven years and costing the government thirty million dollars. Before the end more than fifteen hundred soldiers were dead and all but three hundred of the surviving Indians traveled the Trail of Tears to far Oklahoma.

Stagecoach West. By Ralph Moody. (Thomas Y. Crowell Co., New York, 1967. Pp. 341. $6.95.)

It was a jolting experience, one hundred or so years ago, to undertake a long journey by stagecoach. To travel from St. Louis to San Francisco via the Butterfield Stage called for a constitution nearly as rugged as the equipment. Persons from every walk of life used the stagecoach for transportation in criscrossing the vastness of the American West.

This is one of the best, comprehensive books written on the history of the stagecoach. From the gold-rush days of 1849 until the turn of the century, the American stagecoach sped over the primitive roads of western prairies, deserts, and mountains. Drawn by four or six-horse teams, these lines hauled the wealth of a new nation, provided lines of rapid communication, and helped settle the region between the Missouri and the Pacific in the span of one generation.

To add color to his scholarly narrative, the author has made excellent use of contemporary accounts gleaned from exhaustive research. Too, he has followed many of the old stage routes and knows the art of reining a six horse team. Now that Mr. Moody has done all the research on this colorful subject, his book should become prime source reference for future historians.

The story and the route of the Butterfield Stage Line, which cut across southeastern Indian Territory from Fort Smith to Colbert's Ferry, is covered in detail. As this was the only major transcontinental stage route across Oklahoma it is of special historical significance.

—Arthur Shoemaker
Hominy, Oklahoma

Bankers and Cattlemen. By Gene M. Gressley (Alfred A. Knopf, New York. 1966. Pp. 320. $6.95)

This is the story of the development of the range cattle industry, from the 1880's through the disastrous market break in 1886-7, and how it recovered in the years following.

Brief sketches are given of many eastern investors who financed the western ranchers, and the business partnerships which developed.

In the new, fast-growing industry of cattle raising, claims were put forth of great returns, with little risk. These claims were made frequently, were given widespread publicity, attracted capital from the east and, also, from England. The partnership between John Adair and Charles Goodnight, the Texas rancher, was one such arrangement.

The awareness of the east of the possibilities of expansion in Western ranching grew rapidly, and the disastrous cattle market break shocked many an investor.

The relationship of the ranchers to the railroads, their quarrels over freight rates, their dependence and their antagonism, shows a picture of the problems of that day. The influx of Eastern culture was evident in various ways, including the building of many beautiful typical midwestern homes in Roswell, in Helena, in Cheyenne, and other western towns.

This is a valuable collection of information to those interested in an unusual view of the cattle industry and the way in which Eastern capital played a part in developing this western era.

—Jeanne Birdwell

Oklahoma City, Oklahoma

The Court Martial of Gen. George Armstrong Custer. By Lawrence A. Frost. (University of Oklahoma Press, Norman, 1968. Pp. 280. $5.95.)

The year 1867 for the United States Army was not one of its best years. The Regular Army was reorganized in 1866 pursuant to various Acts of Congress creating the regular establishment. It was inevitable that there was much jockeying for the better assignments for the prospect of routine duty was not too attractive to a number of senior officers who had seen active field service and who were accepting commissions of reduced rank in order to stay in the service.

With such a backdrop, events in Kansas were the center of attention for those seeking an escape from the humdrum of garrison life. The Plains in Kansas were seeing much Indian unrest. Two opposing civilizations were seeking to control the region and there the line of contact would be raw and contentious. In the Spring of 1867 the military decided upon a campaign of armed pacification, and soon the Central Plains were the locale of the "Indian War."

The Commander of the Department of the Missouri was Major General Winfield S. Hancock. Although he possessed an imposing war record, he apparently was an unfortunate choice for the campaign. He seemed to have little understanding of the ways of the Indian, so his efforts at "pacification" inevitably had the opposite effect. One of the units assigned to Hancock was the 7th U.S. Cavalry whose Lieutenant Colonel was George A. Custer. Although an opportunist and an inveterate swashbuckler, Custer was a person of ability, and knew much better

the complexities of the Plains Indian than did his commander, General Hancock. The campaign of the Summer of 1867 was a failure, and the word "disastrous" now appears whenever reference is made to the Hancock expedition.

Custer and his unit were at Fort Wallace, Kansas, when it was attacked in late June by a band of 300 Cheyennes under Chief Roman Nose. The local situation became one of seige. After cholera had made its appearance, and with the depletion of food and medical supplies, Custer decided to select a detachment of approximately 100 men and ride to Fort Harker for relief. True, he had no direct authority authorizing him to detach himself from his command but discretion under emergency circumstances would seem that his decision was not unjustified. He left beseiged Fort Wallace on July 15th. After arriving at Fort Harker he reported to his Regimental Commander, Colonel A. J. Smith, and made arrangements for a relief train. He then went on to Fort Riley to visit his wife. At this point the sequence of facts becomes foggy, but in all events he was delayed in his return to Fort Harker by erratic train schedules and transportation difficulties. Upon his arrival, he was immediately placed under arrest by the Regimental Commander for being absent without leave. A fellow officer in the regiment, Captain R. M. West, long a bitter enemy of Custer, preferred other charges along with the AWOL charge of Colonel Smith. The Court Martial trial was held at Fort Riley. It resulted in conviction, with a suspension of rank for one year and like forfeiture of pay.

Events soon caught up with the comic tragedy of the Court Martial. Soon it was obvious that the summer campaign in its entirety was a fiasco. General Sherman replaced Hancock with the assignment of Major General Philip H. Sheridan as Department Commander. While it was generally assumed that Custer was being made the scapegoat for the failures of the summer, yet from a careful reading of the testimony for the first time made available by Lawrence Frost, it appears that there had been a violation of the Articles of War. Actions that would have been perhaps overlooked if by a private soldier, could not be tolerated in a senior commander.

Frost has given here a verbatim transcript of the entire Court Martial proceedings. The volume is also a valuable addition to bibliography on Custer. Of more than incidental interest, there is the realization of how little Court Martial proceedings have changed over a period of ten decades.

—Wendell E. Howell

Oklahoma City, Oklahoma

NECROLOGY

Claude Eugene Hensley
1876-1968

For many years before his death, the home of Claude Eugene Hensley at 1303 North Robinson in Oklahoma City was the mecca of scores of historical writers—authors of novels and non-fiction, students preparing theses or themes, newspaper folks seeking background material and historical buffs wanting first-hand knowledge of early day events and persons in Western Oklahoma.

When Mr. Hensley passed away on December 10, 1968, he had acquired statewide fame as an historian. Most of his claim to honor in this field did not stem from his actual writings, but rather from his collection of pictures, documents and books of the past, plus his vivid memory of incidents in which he had a part, and in the stories related to him by the early-day figures centered around El Reno, Fort Reno, Darlington and Concho.

Newspaper folks report the daily and weekly happenings of their communities and thus become obsessed with the importance of history and the need for recording the stories for future generations. Thus most writers of the Fourth Estate early become amateur historians, just as their offices become the natural repositories of historical objects brought in for publicity and display.

Claude Hensley began his Oklahoma newspaper career in 1892, and quickly acquired a strong love for things historical. During the ensuing years he developed such a wide knowledge of the lore of Western Oklahoma that he became a veritable fountain for the researchers and writers in this area. He was always outspoken in the belief that Western Oklahoma was being neglected by the authors and that here lay the richest vein of thrilling resource material in the entire state.

Generous to a fault, Claude was insistent on the tragedy of the lack of chronicleers of Western Oklahoma lore, he was ready at the drop of a hat to encourage anyone who indicated an interest in the Indian fights, the outlaws, the cattle drives, the openings, the stage lines, the railroads, the wagonyards, the freighters and their ox or mule trains, the dugouts and soddies, and all the other lore pertaining to the building of the western portion of the state.

Benefactors of Mr. Hensley's information included newspapers to whom he submitted hundreds of articles, libraries in El Reno and other cities, the Oklahoma Historical Society, the University of Oklahoma Museum, and many other organizations.

A special benefactor was the Fort Sill Museum, where a Claude E. Hensley section was set up, containing a valuable collection of historical papers and pictures. Before this, he had been deeply interested and generous with Colonel Wm. S. Nye in the preparation of the material for the book *Carbine and Lance*, a widely recognized history of Fort Sill and the Plains Indians.

Claude came from a newspaper family, including both his father and mother, Mr. and Mrs. Travis F. Hensley, and a brother, Frank. The

CLAUDE EUGENE HENSLEY

father won a farm in the Cheyenne-Arapaho Opening of 1892, and on July 4 of that year purchased the *El Reno Democrat*, a struggling weekly. He then wired Claude in Washington, urging him to join in the venture. Still in his teens, Claude complied, stepping off the Rock Island train on August 5, 1892, to begin the Oklahoma adventure.

Claude was born in Northwest Missouri on April 8, 1876, and in 1880 his father purchased the Princeton, Missouri *Peoples Press*. Claude was thus involuntarily launched on a printing career. When fire partially destroyed the office in 1885, firemen dumped the type in a tub and it then became Claude's task to set up this pied type and distribute it back into the cases—an excellent method of memorizing the cases. His mother, Mary Mullen Hensley, helped operate the plant and taught Claude much of the printing processes.

When the father, T. F. Hensley, received a political appointment in Washington as a patent attorney, the family moved with him to the capital city, and Claude enjoyed the privilege of learning much of governmental affairs and of meeting many prominent people. With the purchase of the El Reno newspaper he became business manager and developed into an all-round newspaperman. But his love of things mechanical soon caused him to become fascinated with the new printing inventions, especially the linotype, and he was soon attending a linotype school in Chicago. He became a full-fledged linotype machinist, and was so expert in this phase of printing many openings came his way. He entered the employ of *The Oklahoman* for a time in 1903, when the paper was owned by the late Roy Stafford and E. K. Gaylord, who still heads the firm. The shop had five linotypes at that time.

In 1899 Claude joined Charles S. Booton in the publication of the *Oklahoma Grocer*, the first trade publication in Oklahoma. Booton was a traveling salesman for the El Reno Wholesale Grocery, and Claude handled the printing. The first issues were printed in the office of the *El Reno Democrat*, but later moved to Oklahoma City. Soon after the move, Claude sold his interest in the magazine and returned to El Reno. Soon after the turn of the century the Hensley family launched a monthly magazine—*The Hensley Magazine*. Some six issues were published of this attractive and interesting family-type publication.

In the meantime the Hensley family was making other great contributions to the development of their city, El Reno, and of Western Oklahoma. When the "Cherokee Strip" was opened in 1893, the father, T. F. and brother, Frank, launched a paper at Enid, while Claude and his mother remained at El Reno operating the *Democrat*.

The father was elected mayor of El Reno in 1900, and was in charge of the young city during the strenuous year of 1901 when the huge registration and drawing for the Kiowa-Comanche lands covering four counties, were conducted. This brought some 100,000 persons from all over the nation to the young city which was totally unprepared to handle the crowd. The city made the best of it and when the first day of the drawing came on August 6 witnessed a mob of some 150,000 on hand to watch the proceedings.

The father, T. F., also served as president of the Oklahoma Territorial Press Association, in 1906. In 1911 the family started the *Peoples Press*, a semi-weekly free circulation paper, which was continued until 1929 when it was purchased and merged with *The Daily Democrat* to become *The*

El Reno Daily Tribune. In 1912 Claude sold his interest in the *Peoples Press* and again went to *The Daily Oklahoman,* starting as an operator but soon was boosted to the machinist job again. He continued in that capacity until his retirement in 1945.

Retirement gave Mr. Hensley more time for his great love of researching history and accumulating historical objects. One of his projects was to get a picture of Major General Jesse L. Reno, for whom Fort Reno was named. He was unable to find an individual picture of the general but one day located a group picture of Civil War generals including General Reno. He had an Oklahoma City photographer cut this out, enlarge, retouch and frame it. Two pictures were made and presented by Claude to the Commandant at Fort Reno, one for the commandant's office and one for the Officers Club. When the Fort closed its operations in 1953 Claude transferred one of the pictures to El Reno high school and one to *The El Reno American.* Later he had another made and presented to the El Reno Carnegie Library. All are still on display.

Many historical objects were collected by Claude, including a peace pipe smoked by General Custer. He had hundreds of authentic pictures, documents, books and mementoes. Through a pact with a former El Reno officer in Washington, Major William Neifert, he was able to acquire a large number of photostats of military records regarding Fort Reno and Fort Sill. One of these was the drawing and official report on the Sand Hills battle near Fort Reno and Darlington following the delivery of the German sisters to the agency in 1875.

Mr. Hensley was a 32nd degree Mason, a Shriner, and a member of the Sons of the American Revolution. At the time of his death he was the oldest member of the Typographical Union in Oklahoma.

Claude Hensley's acquaintance with many of the oldtimers gave him a mental library of stories of the past which he loved to pass on. He spent many hours with such noted personages as Ben Clark, noted scout for General Sheridan; Jack Stilwell, scout and famed for his part in the delivery of besieged troops in the Battle of the Arickaree; Ralph Romeo, a Mexican scout; Jesse Stuart Morrison, cattleman and one of the settlers of present-day El Reno; Neal W. Evans, post trader at Fort Reno, and even Al Jennings, first county attorney for Canadian county, and later an outlaw who reformed and ran for governor of the new state.

On the same day that Claude arrived in El Reno his future wife, Miss Addie Wheeler, a schoolteacher, arrived in the city. They met two years later and two years after that were united in marriage. Their daughter, Mrs. Mott Keys, resides in Oklahoma City. Mr. Hensley is also survived by his two granddaughters, of whom he was very proud, Joan Keys and Karen Keys Bryan, well known concert pianist.

Final rites for the noted newspaper man were conducted from the Guardian Funeral Home in Oklahoma City on December 13, 1968, and the Masonic Rose Croix team assisted. Interment was made in Rose Hill mausoleum.

El Reno, Oklahoma —H. Merle Woods

MINUTES OF THE ANNUAL MEETING OF THE OKLAHOMA HISTORICAL SOCIETY

April 24, 1969

The Annual Meeting of the Oklahoma Historical Society was called to order at 9:30 a.m. on the morning of Thursday, April 24, 1969 in the auditorium of the Oklahoma Historical Society Building. Presiding over the meeting was President of the Society, George H. Shirk, who introduced the Reverend J. S. Sykes. Reverend Sykes then gave the Invocation.

President Shirk introduced Mr. Stanton L. Young, who gave a biographical sketch of Roscoe Dunjee, founder of the "Black Dispatch", pioneer Negro newspaper, showing the great efforts of this dedicated leader throughout his lifetime for the betterment of his people.

President Shirk pointed out that because of the limited available space remaining in the Portrait Gallery of the Museum, only a few distinguished persons may be so honored. In 1965 the Society requested that Mr. Dunjee receive this honor and Mr. Jimmy Stewart and Dr. Moon headed a committee to commission for a portrait to be painted.

Dr. A. L. Dowell was presented and complimented all those who were instrumental in bringing about the presentation of Mr. Dunjee's portrait to the Society. The painting was unveiled and presented to the Oklahoma Historical Society by Dr. Dowell and accepted by Governor Dewey Bartlett on behalf of the Society and the State of Oklahoma.

Governor Bartlett commented how Roscoe Dunjee was far ahead of his time in pricking the conscience of the Oklahoma community; that his portrait stands for progress—that which has taken place and that which will take place; and expressed appreciation to all those who made it possible to display this picture with other distinguished Oklahomans.

Introductions were made by President Shirk of Mrs. Ada Lois Fisher; Mr. Mike McCarvel, the Governor's Public Affairs chief; Bishop Putnam, Charlie Atkins, first Negro to serve as councilman in Oklahoma City; and Jane R. Oxford, who painted the Dunjee portrait. Special introductions were made of Mr. John Dunjee, nephew of the honoree and present editor of the "Black Dispatch" and Mrs. Caroline Dunjee Kelly, Mr. John Dunjee's cousin.

Also introduced were First Vice-President of the Society, Mr. Milt Phillips; Second Vice-President, Mr. Fisher Muldrow; Treasurer, Mrs. George Bowman; and Administrative Secretary, Elmer L. Fraker. Members of the Board of Directors of the Society were also presented.

Major Ali of the Ethiopian Air Force and Major Lee of the Korean Army were international visitors. The staff of the Society was introduced. Guests were invited to a coffee in the Portrait Gallery.

Mr. Phillips moved that the actions of the Board of Directors for the past year be approved. Mr. Muldrow seconded the motion, which passed.

It being determined there was no further business, the meeting was adjourned at 10:00 a.m.

GEORGE H. SHIRK
President

ELMER L. FRAKER
Administrative Secretary

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS, OKLAHOMA HISTORICAL SOCIETY

April 24, 1969

President Shirk called the meeting of the Board of Directors of the Oklahoma Historical Society to order at 10:00 a.m., on Thursday, April 24, 1969. The meeting was held in the Board Room of the Oklahoma Historical Society Building in Oklahoma City.

The following members were present: Mr. Bass, Mr. Boydstun, Mrs. Bowman, Mr. Curtis, Dr. Dale, Mr. Finney, Dr. Fischer, Mr. Foresman, Mr. Fuqua, Mr. Harrison, Mr. Kirkpatrick, Mr. McBride, Mr. McIntosh, Mr. Miller, Dr. Morrison, Mr. Mountcastle, Mr. Muldrow, Mr. Phillips, Mr. Pierce, Miss Seger, Mr. Shirk, and Mr. Woods.

Mr. Allard, Dr. Gibson, and Judge Hefner were absent. Dr. Fischer moved that those absent be excused. Mr. Bass seconded the motion, which passed.

Mr. Fraker reported on gifts and applications for membership. Mr. Phillips moved that the members be elected and the gifts be accepted. Mr. Muldrow seconded the motion, which the Board approved. The possibility of joint memberships with local historical societies was discussed by Mr. Fraker. He said there was a good prospect for joint memberships at Sapulpa.

In suggesting the need of a monthly newsletter, Mr. Fraker said he believed such a publication would increase membership in the Society.

Mr. Fraker reported that on Sunday, April 20, he accompanied fifteen doctors and their wives to historic spots in eastern Oklahoma including Fort Washita.

Dates for the annual tour, said Mr. Fraker, had been set for the 12, 13, and 14 of June. Northwest Oklahoma is to be visited. Mr. Foresman stated that the *Tulsa Tribune* would give the tour publicity.

Mrs. Bowman gave the report as Treasurer of the Oklahoma Historical Society. Mr. Phillips moved that the Treasurer's report be approved. Mr. Muldrow seconded the motion, which passed.

Reports on microfilm and historic sites were made by Mr. Phillips and by Mr. McIntosh.

Dr. Morrison reported on the Fort Washita Project, stating that a beautiful ornamental entrance was being built with the Merrick Foundation furnishing the money.

The Publication Committee report was made by Mr. McBride, stating that the last issue of *The Chronicles of Oklahoma* was four weeks late, but that the Society does not take responsibility for this, it being the fault of the printer. He stated that it is thought the next issue will be two weeks late and the next one on time.

Miss Wright, Editor of *The Chronicles*, was present and made the statement that the Society has been honored by *The National Observer* giving a box column with excerpts from *The Chronicles*. She stated that *The Chronicles* has gained stature in the country.

In his report for the Library Committee, Mr. Curtis said that he has received no complaints about the library; that the library staff knows

how to run a library and also how to get along with the public, and that he would like to give them a pat on the back. He said he would like to have more time to do research on OTIS, which is a plan where all libraries in the state are grouped together by teletype.

Mr. Finney reported on the Fort Sill Centennial Commission's work, stating the next occasion of importance to be observed will be May 17, Armed Forces Day, and a day in July which will be a larger occasion and more important. He invited all to the Armed Forces Day celebration.

President Shirk announced that the Society has received a grant for $1,002.99 from the U. S. Government for historic site inventory and development. Mr. Foresman made a motion that the grant be accepted. Miss Seger seconded the motion which passed. Mr. Shirk then asked authority to sign the new grant application for fiscal year 1969-1970. Mr. Muldrow made a motion to authorize Mr. Shirk to sign the grant application. Miss Seger seconded the motion which passed.

Reporting on the Junior Membership Program, Mr. Foresman stated he had done some investigating and found this program to be nothing new, being done now in several states. He said he thought it was something the Society should do, the first step being to employ some one who knows how to do it.

An application of the Oklahoma Firemen's Museum Foundation for an indefinite loan of exhibits was presented by President Shirk. He stated that the firemen are collecting old equipment in Oklahoma and have already been loaned equipment by Oklahoma City, Stillwater, and Ardmore; that the Society has a hand drawn reel cart, the only one that can be located. He recommended that the Board authorize the indefinite loan of the reel cart owned by the Society to them, with the provision that it be marked as a loan by the Oklahoma Historical Society. Mr. Fraker concurred. Mr. Boydstun made a motion that the Society make an indefinite loan of its hand drawn reel cart to the Oklahoma Firemen's Museum Foundation. Mr. Phillips seconded the motion which passed.

Mr. Fraker stated that he had attended two meetings where consideration of closer attention was given between all state departments, in pooling resources in advertising.

President Shirk introduced Larry Anderson, artist, who showed to the Board a drawing of a proposed seal for the Oklahoma Historical Society. A motion was made by Mr. Pierce that President Shirk, Mr. Fraker, Mr. Miller, Mr. McBride, and Miss Wright be appointed as a committee to have final authority in the matter of the seal for the Oklahoma Historical Society. Mr. Finney seconded the motion which passed.

It was related by Mr. Fraker that he had been working with the City Council of Guthrie on the possibility of acquiring the old Carnegie Library as a historic site, it being the building where the last Territorial Governor was inaugurated and where the first Governor of Oklahoma was inaugurated. Also it was the scene of the symbolic marriage of Miss Indian Territory and Mr. Oklahoma Territory. All of these events, he said, occurred in the vestibule or on the steps of the Carnegie Library. He further stated that the City of Guthrie had voted bonds for a new library and that the old building is to be vacated in approximately one year.

Mr. Fraker requested that the Board authorize the signing of a 50 year lease with the City of Guthrie, with 20 year renewal provisions, by the Oklahoma Historical Society, it being understood that the Oklahoma

Historical Society, dependent upon appropriations from the State Legislature, would maintain the old Guthrie Carnegie Library as a historic site and museum. It was moved by Mr. Kirkpatrick and seconded by Mrs. Bowman that the President and Administrative Secretary of the Society be authorized to sign such a lease. The motion was unanimously adopted.

Dr. Fischer reported on the Honey Springs Battlefield Park, stating that the Commission met on March 1 in Mr. Leake's office in Muskogee. The major immediate objective was determined by the Commission to be that the total acreage be acquired over a period of years, and in the meantime that a small area be developed through private money.

President Shirk asked that the Honey Springs Battlefield Commission be enlarged to add Mr. Earl Boyd Pierce of Muskogee, Mrs. Mabel McClain of Checotah, Mr. Henry B. Bass of Enid, and Mr. Wendell E. Howell of Oklahoma City. Mr. Phillips made a motion that these four persons be added to the Honey Springs Battlefield Commission. Mr. McIntosh seconded the motion which passed.

Showing a copy of *The Cherokee Nation News*, President Shirk said the Cherokee Nation organization should be commended for the fine work they are doing. Mr. Pierce said the Cherokee Nation would be grateful for subscriptions to *The Cherokee Nation News*.

President Shirk then referred to the sale of lots in the Indian Memorial Survey Plot given by Mr. and Mrs. Earl Boyd Pierce to the Society. He said that a lot of one square yard will cost $5.00 and he encouraged each of the members of the Board to sell lots. He said they may be in the Nieman-Marcus catalog for Christmas and that Chief McIntosh will go to London in June to sell them at Herrod's.

Mr. Pierce then stated that, with the Board's approval, he would like to reserve and donate:

Lots 1 and 39, Block 3 to the Creek Nation

Lots 379 and 419, Block 2, to the Choctaw Nation

Lots 399 and 437, Block 1, to the Chickasaw Nation

Lots 19 and 59, Block 4, to the Seminole Nation.

He said if these Nations own title to these plats, they may wish to put up some kind of marker or memorial. He said later on something will be worked out for the Cherokee Nation. Mr. Pierce then made a motion that the Board reserve the eight corners mentioned above for the four tribes Creek, Choctaw, Chickasaw, and Seminole. Mr. Phillips seconded the motion which passed.

Mr. Muldrow stated that the Society was fortunate in that two of its members, Mr. Shirk and Mr. Harrison, had been elected to the Oklahoma Hall of Fame. He also mentioned that Dr. Dale was now ninety years of age and was still hard at work.

It was requested by President Shirk that the minutes contain an acknowledgement and expression of regret at the death of Mrs. W. S. Key. Her husband, the late General W. S. Key, was the immediate past President of the Oklahoma Historical Society.

Mr. Woods said that in behalf of the Canadian County Historical Society he wished to commend President Shirk and Vice-President Mul-

drow who went to El Reno and gave valuable advice about the forming of the Canadian County Historical Society. He also wished to thank Mr. Fraker for speaking to the Kiwanis Club of El Reno.

It being determined that there was no further business to come before the body, adjournment was had at 12:15 p.m.

GEORGE H. SHIRK
President

ELMER L. FRAKER
Administrative Secretary

GIFTS PRESENTED IN FIRST QUARTER, APRIL 15, 1969

MUSEUM:

Additions to the original de Grush Collection of 1915, including a Chinese man's dress and fur edged hat with peacock feather plume, glazed figurines, photographs of China, water color drawing, picture albums, a sketch of Rex de Grush, and an antique Chinese measuring scales.
Donor: Julietta K. Arthur, New York, New York. (from the estate of Rex and Blanche de Grush)

Riding cultivator, early 20th Century.
Donor: Cal Jeffries, Carmen, Oklahoma.

Sled disc and horse drawn wheat drill.
Donor: Mr. and Mrs. Chester R. Cravens, Fairview, Oklahoma.

Pedal type grinder wheel, wheel type Fresno type dirt scraper, garden harrow, one row riding lister with planter, and one set of harness.
Donor: Mrs. Mary H. Freeburg, Carmen, Oklahoma.

Montgomery Ward catalogue, 1872.
Donor: Montgomery Ward Company, Chicago, Illinois.

Cornice section, John R. Blair building, 1893 structure, Oklahoma City, Santa Fe St.
Donor: Urban Renewal Authority, Oklahoma City.

Flags, two forty-six star American.
Donor: Walter J. Clark, Yarnell, Arizona.

Presidential campaign material, 1968, for Nixon, Agnew, and Bellmon, over two-hundred items, including booklets, posters, slogans, buttons, and stickers.
Donor Mrs. Marjorie Bailey, Oklahoma City, Oklahoma.

Oklahoma automobile tag, 1968, "AMEN"
Donor: Dale Maret, Tulsa, Oklahoma.

Orchard Sprayer, orchard disc, riding mouldboard plow.
Donor: Mr. and Mrs. Hubert Elliott, Aline, Oklahoma.

Walking cultivator.
Donor: Doyne Sims, Aline, Oklahoma.

Slip earth moving device, pulled by one horse.
Donor: Robert McMasters, Fairview, Oklahoma.

Child's dress and jacket, 1863; large swirled glass ball, needle book, mens' silk handkerchiefs, womens' shawls, documents, old jewelry, fans, and southwestern pottery.
Donor: Miss Grace B. McCartney, Oklahoma City, Oklahoma.

Newspaper, "Philadelphia Inquirer", April 17, 1865: black cloth rosette worn at Lincoln's funeral; campaign ribbon, "Lincoln Republican Club"; small section of shingle from Lincoln's house in Springfield, Illinois.
Donor: Merle Woods, El Reno, Oklahoma.

Silver spoons, five including souvenir types of Oklahoma Territory.
Donor: Marcelle Atwood Lowrey, Oklahoma City, Oklahoma.

Three early 20th Century typewriters.
Donor: Robert Scully, Okemah, Oklahoma.

Record, Will Rogers, Souvenir, 1965 World's Fair.
Donor: Industrial Development and Parks Department, State of Oklahoma.

Statue, "Oil Giant".
Donor: American Association of Petroleum Geologists and the Society of Economic Paleontologists and Mineralogists, Oklahoma City, Edwin P. Kerr and J. Ben Casey, representatives.

Chicago, Rock Island and Pacific Railway Company pass, 1925; and Chicago, Rock Island and Pacific Railway Company pass, 1927.
Donor: E. L. Earhart, Oklahoma City, Oklahoma.

Five toothed garden cultivator, pulled by one horse.
Donor: Floyd Anthony, Cleo Springs, Oklahoma.

Bow and arrow, hand made modern; tape recording of his life near Lawton, early 1900's; both made by the donor.
Donor: Rev. Jess Farrow, Taloga, Oklahoma.

Confederate money, copies of different types, four pieces.
Donor: Michael N. Pritchard, Oklahoma City.

Ten doubletrees and singletrees, one beam for three or four horse evener, thirty-four pieces of 18" barb wire types.
Donor: Guy Schickedanz, Fargo, Oklahoma.

Toy wooden handcarved paddle boat.
Donor: James R. Reneau, Cherokee, Oklahoma.

Souvenir state medal, IOWA.
Donor: Capitol Medals, Inc., High Point, North Carolina.

Sod plow and rocking chair, used by homesteaders near Aline, Oklahoma.
Donor: Olive Ferguson White, Aline, Oklahoma.

INDIAN ARCHIVES DIVISION

The Amerindian, Jan.-Feb. 1969
Henry B. Bass *News Letter*, Dec. 1943, Jan. and Feb. 1969.
Donor: N. B. Johnson.

Thesis: "Modoc Assimilation: An Acculturation Study of the Modoc Indians in the Mid-Western States" by Lucile J. Martin, Dept. of Anthropology, Wichita State University.
Donor: Lucile J. Martin.

"Introduction to Genealogy for Beginners" by Muriel Teel Cooter.

Donor: Muriel Teel Cooter.

Manuscript letter dated Jan. 31, 1875 from William P. Worthington, Pickens County, Chickasaw Nation, to Miss Rula M. Worthington, his niece.

Donor: Mrs. W. H. G. Michaels, Midwest City, Okla.

Minutes regular meeting Inter-Tribal Council Five Civilized Tribes held Jan. 10, 1969.

Donor: Muskogee Area Office.

Letter from Will T. Nelson, dated Jan. 29, 1969 about Indian girls Basketball Tournament.

"The Great Flood" a Choctaw story, by Will T. Nelson.

The Oklahoma Indian Council Calendar, Feb. 15 and Apr. 17, 1969.

Donor: Will T. Nelson.

Records from Indian Claims Commission:
Havasupai Tribe of Arizona v. U.S., Docket Nos. 91 & 229: Opinion of the Commission; Findings of Fact; Interlocutory Order.
Miami Tribe of Oklahoma v. U.S., Docket No. 251A: Opinion of the Commission; Final Judgment.
Chickasaw Nation v. U.S., Docket No. 270; Opinion of the Commission; Order Dismissing Case with Prejudice.
Seneca Indians v. U.S., Docket Nos. 342 B, C, and D & 368; Findings of Fact; Opinion of the Commission; Interlocutory Order.
Red Lake Band, et al, including Bay Mills Indian community of the Ottawa and Chippewa Indians of Michigan v. U. S., Dockets No. 18E & 58; Opinion of the Commmission; Additional Findings of Fact as to Value; Second Interlocutory Order.
Iowa Tribe of Kansas, Nebraska & Oklahoma v. U.S., Docket No. 79A: Findings of Fact; Opinion of the Commission; Interlocutory Order.
Ponca Tribe of Oklahoma, et al v. U.S., Docket No. 322: Additional Findings of Fact; Opinion of the Commission as to Value; Second Interlocutory Order.
Yankton Sioux Tribe v. U.S., Docket No. 332A; Findings of Fact on Compromise Settlement; Opinion of the Commission; Final Judgment.

Donor: Indian Claims Commission.

LIBRARY:

Original Affidavit re Millstone from C. G. "Gristmill" Jones' old Mill located NE corner of Broadway and California, Oklahoma City.

Oklahoma City Council Agenda, Item No. IVC, November 19, 1968, Council Memo: No. 2336 "Operation 'Millstone' ".

Correspondence re Millstone, 1968.

Western History Association, 8th Annual Conference Pioneer Hotel, Tucson, Arizona, October, 1968—Roster of Registrants.

The Will Rogers Papers—Oklahoma State University, 1968-1969.

A Quick Reference Guide to Community Services: Health, Welfare and Recreational Resources—Community Information Center, Oklahoma City. Application for Participating Organizational Membership to United Appeal of the Greater Oklahoma City Area from Oklahoma Goodwill Industries, Inc.

Martindale Hubbell Law Directory, One Hundredth Year, 1968; Vols. I-V.
The Bar Register, 1968.

Horseless Carriage Club of America, Roster of Members, May 1, 1967.
United States Air Force Academy, Catalog 1968-1969.
Oklahoma Paving Law of 1923—May 19, 1966.
Address by Jack H. Abernathy, Chairman, National Petroleum Council, Pres. of Big Chief Drilling Co., Oklahoma City on October 1, 1968.
A "Quick Reference" Guide to Community Services, a listing of major Health, Welfare and Recreational Resources of Oklahoma City.
Oklahoma Museums Association—Report of Fall Meeting, November 1968.
"Of Flight and Bold Men"—United States Air Force History.
Historic American Buildings Survey: Catalog of the Measured Drawings and Photographs of the Survey in the Library of Congress, Comprising Additions Since March 1, 1941, National Park Service, Washington, D. C. Jan. 1959.
A Catalog of Reports Relating to Socio-Economic Information in Central Oklahoma, Sept. 1968. Prepared by Business and Economic Research Center, Oklahoma City University under Urban Planning Grant Contract No. Oklahoma P-86.
Pea Ridge National Military Park, Arkansas.
National Historic Preservation literature.
The American West, Vol. VI, No. 2, March 1969.
Indiana in Transition—The Emergence of an Industrial Commonwealth. 1880-1920 by Clifton J. Phillips.
"Suggested Organization for the Oklahoma Folkways Society" prepared by Carol K. Rachlin.
Names, Vol. 16, No. 4, December 1968.
Donor: George H. Shirk, Oklahoma City.

Western Lawmen by Frank Surge, 1969.
Western Outlaws by Frank Surge, 1969.
Donor: Lerner Publications Company, Minneapolis, Minnesota.

Raleigh-Durham-Chapel Hill by William S. Powell—A Student's Guide to Localized History.
Illinois by Olive S. Foster—A Student's Guide to Localized History.
The Mexicans in America by Carey McWilliams, A Student's Guide to Localized History.
Maryland by Harold R. Manakee—A Student's Guide to Localized History.
Donor: The publishers; Teachers' College Press, Teachers' College, Columbia University, New York, N.Y.

Souvenir Album—*Ben Hur*, Scenes of the Play, 1900, a Klaw & Erlanger Production.
St. Joseph Daily News, St. Joseph, Missouri, Friday, Sept. 6, 1901, Vol. XXIII, No. 32—EXTRA Edition of President McKinley Assassination during Pan-American Exposition at Buffalo, New York.
Souvenir Program of opera "Parsifal."
Oklahoma's Representatives in Washington—Complimentary copy from W. B. Pine, April 1, 1927.
The Oklahoma Hospitality Club Year Book, 1929-1930 of Oklahoma City, Oklahoma.
Collection of Oklahoma History in News Clippings, pamphlets, etc.
Donor: Mrs. O. O. McCracken, 2541 Northwest 17th, Oklahoma City, Oklahoma.

875th Aero Squadron Roster—First Air Depot Zone of Advance (France) 1918-1919.
Dinner Menu of 645th Aero Squadron United States of America Yuletide Festival of 1918, Colombey-les-Belles, Meurthe-et-Moselle, France.

Thanksgiving Menu—November 23, 1944, Ardmore Army Air Field, Oklahoma.
Former possessions of late Sgt. Fernand Edward May, United States Air Force.

Donor: Mrs. Lora Arms Peters, 409 Rayburn Drive, San Antonio, Texas 78221.

Certificate of Appointment of William Ellis of Hartshorne, Indian Territory Deputy Marshal of United States for Western District of Arkansas, May 29, 1893.
Oklahoma Writers' Association Bulletin.

Donor: Charles Campbell, Oklahoma City, Oklahoma.

Doing Business in the New Indonesia—Prepared and Published by Business International Corporation, 1968.

Donor: UniRoyal, Inc., Rockefeller Center, 1230 Avenue of Americas, New York, N.Y., 10020.

The United Daughters of the Confederacy Magazine, Vols. 31, May, 1968 to Vol. 31, Dec. 1968.
Sooner Magazine, March, May, July, Sept. and Nov.-Dec., 1968.
Sooner Newsmakers, Dec. 1968.
Oklahoma Today, Summer 1968.
Kentucky Heritage, Vol. 9, No. 1, Fall 1968.

Donor: Mrs. King Larimore, 1924 N.W. 20th, Oklahoma City, Oklahoma.

Memoirs of Ramona, Indian Territory—Bonton Hobson, Vol. 2.

Donor: Joe 5 Lee, Ramona, Oklahoma and Utah.

The Cat—A Mixture of Political Economy and Oklahoma Politics from the View Point of the Folks, Oklahoma City, Oklahoma, July 8, 1920, Vol. 5, Number 14.

Donor: Mrs. Joanna Chambers Pope, Blue Eye, Missouri—In Memory of her father, Van Chambers, Claremore, Oklahoma.

Talihina Cemetery Tombstones. Compiled by Mrs. A. P. Kidwell, Talihina, Oklahoma.

Donor: Mrs. Kidwell by Congressman Carl Albert, Washington, D.C. Oklahoma History and Indian Scrapbook.

Literary Map of Oklahoma, 1960 by the Oklahoma Council of English Teachers.
Poetry Society of Oklahoma Yearbooks, 1951 to 1967-1968.

Donor: Leslie McRill, 1817 N.W. 14th Street, Oklahoma City, Oklahoma.

The Call—The First National Bank of Muskogee, Oklahoma, Vol. 1, No. 2, April 1923.

Donor: R. C. Johnson, Bibliographer, The Newberry Library, 60 West Walton St., Chicago, Illinois 60610.

Thirty-Second Biennial Report of the State Department of Education of Oklahoma, 1968.

Donor: Joe Hurt, Department of Education, State Capitol.

Microfilm: 1860 Ohio Census for Clermont (part), Clinton, Defiance, Columbiana and Coshocton (part); Roll #209.

Donor: Dean H. and Florence Fender Binkley to Oklahoma Genealogical Society and Oklahoma Historical Society.

The West Magazine, Dec. 1968 containing article "He Said 'Hell, No,' to the Daltons" by D. H. Whittlesey.

Donor: Dorothy Whittlesey, 320 West Johnson, Norman, Oklahoma 73069.

General Register of the Students and Former Students of the University of Texas, 1917.
Virginia—War History Commission, Supplement No. 1, 1921.
Virginia—War History Commission, Supplement No. 2, 1924.
Virginia—War History Commission, Supplement No. 3, 1921.
Index to Marriage Notices in The Southern Churchman, 1835-1941, Vol. I, A-K and Vol. II, L-Z, Historical Records Survey of Works Project Administration.
Inventory of the Church Archives of Virginia.
Index to Marriage Notices in the Religious Herald, Richmond, Virginia 1828-1938, Vols. I & II, Historical Records Survey of Works Project Administration.
Guide to the Manuscript Collections of the Virginia Baptist Historical Society Supplement No. 1; *Index to Obituary Notices in the Religious Herald, Richmond, Virginia, 1828-1938.*
Tercentenary 1636-1936: Providence and Rhode Island.
Messages of the Governors of Tennessee, 1796-1883 by Robert H. White, 6 volumes.
Stirpes, March 1967, Vol. 7, No. 1.
Wyoming Historical Societies Miscellanies, 1919.
Wyoming State Historical Department, 1921-1923.
The Georgia Geneological Society Quarterly, Vol. 3, Series 3, March 1967.
Oklahoma Anthropological Society Newsletter, Vols. 1-4; 5-7; Vol. 15, No. 2, Feb. 1967; Vol. 16, No. 7, 1968.
Bulletin of the Oklahoma Anthropological Society, Vol. 1, March 1953 to Vol. XV, March 1967.

Donor: On Indefinite Loan from Oklahoma State Library, State Capitol Building, Oklahoma City, Oklahoma.

Jones, Reuben Jones, Genealogy.
Drake Family.

Donor: Mrs. Otis S. Duran, 1537 Redbud, McAlester, Oklahoma 74501.

Southwestern Folk History—Research Dept. of Federal Theatre of Oklahoma, 105 West Grand, Works Progress Administration Publication No. 19, April 1939.
"Six Months of Research with Annie Laurie Faulton"—Manuscripts and Personal Interviews during W.P.A. Theatre Research.
Norman Yearbook, 1939-1940.
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Nine folders containing manuscripts, pioneer interviews, Outlaws, Indian legends and myths, Indian dances and news clippings of Oklahoma history collected by Nona B. Hendrix, W.P.A. Research Worker, 1936-1937.

Donor: Mrs. Nona B. Hendrix, 1654 S.W. 15th Street, Oklahoma City, Oklahoma.

Directory of Members of Oklahoma Ambassador Corps, 1968.

Donor: Ben K. West, Vice-Pres. & Manager of Station KOCO-TV, Oklahoma City.

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Donor: N. B. Johnson, 517 N.W. 43rd, Oklahoma City, Oklahoma.

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"The City of Weatherford, Oklahoma Territory."
Donor: Nebraska State Historical Society, 1500 "R" Street, Lincoln, Nebraska.

Indian Brother Buffalo by Lena Lockhart Daugherty & Gladys W. Jeffords, 1968.
Donor: Lena L. Daugherty, P.O. Box 1341, Muskogee, Okla.

Thomas Gist "Power of Attorney" document from Territory of Arkansas, County of Lovely, 8th day of July 1828.
Letter dated Fort Gibson 14 June 1827 and signed "Bonneville."
Donor: Mrs. Maggie Aldridge Smith, Route 5, Siloam Springs, Arkansas 72761.

"Antiques at Colonial Williamsburg"—reprint from January 1969 issue of *Antiques Magazine.*
Donor: President of Colonial Williamsburg, Williamsburg, Virginia.

The New-York Times, Sunday April 16, 1865—a Facsimile issue printed Friday, Feb. 12, 1909.
Harper's Weekly for April 29, 1865.
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Little Known Facts about Thanksgiving and Lincoln's Proclamation.
Facts About the Civil War, 1959.
Donor: H. Merle Woods, El Reno, Oklahoma, 73036.

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Donor: John B. Hightower, Executive Director New York State Council on the Arts, 250 West 57th St., N.Y., City, 10019.

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Rimfire Rifleman by Lt. Cdr. Edwards Brown, Jr., USNR, 1947.
Long-Bell Woodwork, Long-Bell Lumber Co. Oklahoma City.
Donor: Mrs. Phyllis McMichael, 4009 N.W. 27th, Oklahoma City.

Land Grant Certificate in Kiowa County to Robert M. Barr signed by Theodore Roosevelt, May 29, 1905.
Donor: Mrs. Rosalie M. Miller, 2454 Ousdahl Road, Lawrence, Kansas 66044.

Confederate Military Records: Benjamin W. Oden, Louisiana; W. A. J. Odom (Odem, Odam), Louisiana; James M. Odom, Monroe, Louisiana; and Francis M. Odem (Odom).
Donor: Tal Oden, Altus, Oklahoma.

Collection of Newspaper clippings and *Orbit* Section of *Daily Oklahoman.*
Donor: Harry Stallings, Oklahoma City, Oklahoma.

A Program of Historical Events, Ardmore Shrine Club 8th Annual Rodeo, Hardy Murphy Coliseum, April 9, 10, 11, 12, 1969—Ardmore, Oklahoma.
Donor: Mac McGalliard, *The Daily Ardmoreite,* Ardmore, Oklahoma 73401.

"Personal Experience of William John Hess and the Opening of Oklahoma Territory, April 1889." Xerox copy of original.
Hess Family Information.
Donor: Helen Hess Welton, White Rock, South Dakota.

The John P. Ashley, William Schweinle-Charles Andrew Schweinle Collection of early day Oklahoma City and Indiana History including original Articles of Partnership drawn up between A. E. Monroney (father of Sen. Mike Monroney) and W. A. Schweinle forming the Doc and Bill Furniture Company of Oklahoma City.
Donor: Charles A. Schweinle, Jr., 1609 Dorchester Drive, Oklahoma City by George H. Shirk.

Family Puzzlers, Mary Bondurant Warren, Editor, Weekly Genealogical Newsletter, Danielsville, Georgia—25 issues.
Donor: In Memory of John P. Hulsey, Rt. 3, Box 15, Edmond, Oklahoma by Mrs. Carl Voris, Edmond, Oklahoma.

Issues 1968, Edited by William W. Boyer.
Donor: The University Press of Kansas, Lawrence, Kansas 66044.

For Future Oil Museum:
28 original Oil and Gas Mining Leases including Lease #1857, September 6, 1927 between Indian Territory Illuminating Oil Company and Vincent Sudik and wife, Mary Sudik.
Donor: Cities Service Oil Company, Oklahoma City, Oklahoma.

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"*Ansearching*" *News*, Vol. 15, 1968.
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Family Puzzlers—July 11, 1968, No. 37, The Traylor Family.
Babb Family, Vol. 1, 1967.
The Reflector, Vol. 9, No. 3, Fall 1967.
The Genealogical Helper, Vol. 22, 1968.
Report, Vol. VIII, 1968.
Genealogical Forum, Vol. XVII, 3 issues, 1968. Index to Vol. XVII.
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The Scottish Genealogist, Vol. XV, Nos. 1, 2, 3, 1968.
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Georgia Pioneers, Vol. 5, 1968.
A Bulletin of Local History and Genealogy, Vol. X, 1968.
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Missouri Pioneers, Vol. IV, Jan. 1969.
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Newsletter, Vol. 14, Nos. 2, 3, 4, 1968.
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The Slagle Family in America by A. Russell Slagle, 1969.

Donor: Oklahoma Genealogical Society, Oklahoma City, Oklahoma.

Precinct Register: Precinct No. One, Round Grove Township, Alfalfa County, Oklahoma—first entry May 1, 1916 to October 24, 1930.
Bristow, Oklahoma City Directory, 1924.
Donor: Maxine Fullerton, Box 182 Helena, Oklahoma 73741 by Mrs. Muriel Cooter and Oklahoma Genealogical Society.

The Official Guide of the Railways, August, 1967.
Donor: Ray Mullin, 1411 West Shultee, El Reno, for Oklahoma Genealogical Society of Oklahoma City.

Bighorn Canyon Archeology by Wilfred M. Husted, Smithsonian Institution River Basin Surveys, Publications in Salvage Archeology, No. 12.
Donor: The Author and the River Basin Surveys of the Smithsonian Institution, Office of Anthropology, Lincoln, Nebraska.

PHOTOGRAPH DEPARTMENT:
Kirkpatrick Chisholm Trail Monument at Yukon, Oklahoma, 3 colored photographs.
Old Greer County Monument, Mangum, Oklahoma, July 5, 1968, colored photograph.
Elmer Fraker, dedicatory address, Old Greer County Monument, Mangum, before unveiling, July 5, 1968, color photograph.
Elmer Fraker, following unveiling of Old Greer County Monument, July 5, 1968, color photograph.
Sod House at north end before restoration by Oklahoma Historical Society, 2 black and white photographs.
Sod House Monument at Cleo Springs, 1968, 3 color photographs.
Sod House Monument and Protective Covering at Cleo Springs, 1968, 7 color photographs.
Sod House Wall, 1968, color photograph.
Sod House Door, 1968, color photograph.
Green Corn Dance Monument, color photograph.
Peter Conser House, Cemetery near Heavener, 1968, Mike Bureman and Elmer Fraker, color photograph.
Monument at Skullyville, 1968, black and white photograph.
Oklahoma Historical Society, 1968, color transparency.
Elmer Fraker, Senator Denzil Garrison of Bartlesville, and Bob Clark, Archivest of State Library, 1 black and white; 1 color photograph.
Oklahoma Historical Society Christmas Luncheon, Friday, December 20, 1968, 11 color photographs.
Donor: Administrative Office, Oklahoma Historical Society.

Court Scene in Muskogee Federal Court, Judge John R. Thomas, presiding, from *New York Herald*, June 18, 1889, 1 photograph and negative.
Michael O'Brien, Oklahoma City, 1 photograph and negative.
Jester's Cave, Jester, Greer County, Oklahoma, 1968, 1 black and white photograph and negative.
Early day Muskogee Street Scene on Saturday, negative.
Fort Washita, 20 black and white photographs.
Fort McCullough, 14 black and white photographs.
Fort Wayne, 8 black and white photographs.
Copy of oil painting of Roscoe Dunjee, black and white photograph and negative.
Donor: Copied by the Oklahoma Historical Society.

Hastings, Oklahoma High School Basketball Team, 1914, 1 photograph.
Donor: Mrs. J. P. Choate, 695 North Highland Street, Memphis, Tennessee, and Ross Floyd, 124 Whitworth, Ponca City, Oklahoma.

Public School, Asher, Oklahoma, negative.
Purcell, Oklahoma street scene, negative.
Donor: Mrs. H. H. Bishop, 121 S. W. 83rd, Oklahoma City in Memory of her mother, Mrs. Bertha Jacks.

Abraham Lincoln—copy of oil painting by Lloyd Ostendorf, 1 picture.
Donor: Lincoln Memorial University, Harrogate, Tennessee, 37752.

Collection of Photographs of Depots in Oklahoma and Kansas, 17 black and white 8"x10" glossy photographs.
Santa Fe Station, Kiowa, Kansas.
Old Al Mar Hotel, Kiowa, Kansas.
Santa Fe Station, Waynoka, Oklahoma.
Rock Island Station, Anadarko, Oklahoma, looking west.
Rock Island, Anadarko, Oklahoma, "Y" south platform.
Rock Island Station, El Reno, Oklahoma.
M-K-T Depot at Hammon, Oklahoma.
M-K-T Depot at Elk City, Oklahoma.
Frisco Depot, Lawton, Oklahoma.
Frisco Depot, Mountain Park, Oklahoma.
Rock Island Depot at Granite, Oklahoma.
Frisco junction of G & K lines (Gulf & Kansas) at Snyder, Oklahoma.
Dispatcher-agent office at Frisco Depot, Snyder, Oklahoma.
Santa Fe (originally Kansas City-Mexico and Orient Line) Depot at Lone Wolf, Oklahoma.
M-K-T Depot at Helena, Oklahoma.
Rock Island, Anadarko, Oklahoma "Y" southbound.
Frisco Locomotive #1615 of Altus, Oklahoma, 4 8" x 10" black and white photographs and write-up on engine.
Donor: Fred Huston, Box 16532, Oklahoma City, Oklahoma.

Color slide metal file case.
Donor: George H. Shirk, Oklahoma City, Oklahoma.

Grand, Oklahoma Territory, December of 1893, 1 photograph and negative.
Grand, Oklahoma Territory, 1904, 1 photograph and negative.
"Round Up" of Day County Cattlemen, 1898, negative.
Donor: The late O. H. Richards Collection by the Editorial Department.

William "Will" Robison, Muskogee.
Donor: Editorial Department.

Large grouping of photographs, framed of: the late Mr. and Mrs. Andrew Kingkade, Norman and Oklahoma City pioneers; Main Street, Norman, June 1889; Building used as first grocery store in Norman; A. D. Acers, first hardware merchant; J. H. Miller; Mrs. Edith Burns; D. W. Marquart; W. T. Mayfield; J. D. Grigsby; L. J. Edwards; D. L. Larsh; and T. R. Waggoner, first Mayor of Norman.
Donor: Mrs. Don F. Cockrell, 6456 Verona Road, Mission Hills, Kansas—granddaughter of the Andrew Kingkades by Henry A. Snell of Oklahoma City.

Framed grouping of Ben Thorman, Okmulgee, Oklahoma.
Donor: Ben Thorman, 1029 East 6th Street, Okmulgee, Oklahoma.

Smith and Meyer Real Estate, Loans and Rentals, 1 large photograph.
India Temple and Shriner Formation, 1912, 1 large photograph.
Kiowa Indian Mother, young daughter and papoose in cradle-board, 1 photograph.

Two Comanche girls, 1 photograph.
The first office of Oklahoma City Federal, then named the Oklahoma City Building and Loan Association picturing Jesse Dunn, A. L. Welch, J. M. Owen and John Threadgill, 1 photograph.
Oklahoma City's First Post Office, 1 picture.
Labor Day Parade, 1903, 2 photographs.
State Championship Domino Tournament, 1 photograph.
Oklahoma City Cowboy Band, 1 photograph.
Early Oklahoma Territory Threshing Scene, 1 large photograph.
Interior of Doc and Bill Furniture Company, 1895, 2 large photographs.
Interior of Doc and Bill Furniture Company, 2 small photographs.
Exterior of Doc and Bill House of Furniture, 1895, 1 photograph.
Donor: The Charles A. Schweinle, Jr. family of Oklahoma City, Oklahoma.

Two oil wells, 2 small pictures.
Comanche scout: Kiowa Annie & Opening of 1889, one combined photograph.
Donor: Corbit E. Bradshaw, 4765 S. E. 27th, Del City, Oklahoma, 73115.

Mort & Sarah Pearson, 1860, 1 small photograph.
Father & Mother Titus, 1860, 1 small photograph.
Donor: Mrs. Shirley Smith, 5810 N.W. 32nd, Okla. City, 73122.

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THE OKLAHOMA HISTORICAL SOCIETY

The Oklahoma Historical Society was organized by a group of Oklahoma Territory newspaper men interested in the history of Oklahoma who assembled in Kingfisher, May 27, 1893.

The major objective of the Society involves the promotion of interest and research in Oklahoma history, the collection and preservation of the State's historical records, pictures and relics. The Society also seeks the co-operation of all citizens of Oklahoma in gathering these materials.

The Chronicles of Oklahoma, published quarterly by the Society in spring, summer, autumn, and winter, is distributed free to its members. Each issue contains scholarly articles as well as those of popular interest, together with book reviews, historical notes and bibliographies. Such contributions will be considered for publication by the Editor and the Publications Committee.

Membership in the Oklahoma Historical Society is open to everyone interested. The quarterly is designed for college and university professors, for those engaged in research in Oklahoma and Indian history, for high school history teachers, for others interested in the State's history and for librarians. The annual dues are $5.00 and include a subscription to *The Chronicles of Oklahoma.* Life membership is $100.00. Regular subscription to *The Chronicles* is $6.00 annually; single copies of the magazine (1937 to current number), $1.50. All dues and correspondence relating thereto should be sent direct to the Administrative Secretary, Oklahoma Historical Society Building, Oklahoma City, Oklahoma.

GREAT SEAL OF THE STATE OF OKLAHOMA
1907

The CHRONICLES of OKLAHOMA

Autumn, 1969

WILLIE HALSELL COLLEGE
VINITA, INDIAN TERRITORY, 1898

DISPLAY

Volume XLVII Number 3

Published Quarterly by the
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Organized by the Oklahoma Historical Society May 27, 1893

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THE CHRONICLES OF OKLAHOMA
Published Quarterly by
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AUTUMN, 1969

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COVER: The view of Willie Halsell College is from an old linedrawing in *The Indian Chieftain.* The College was founded under the auspices of the Methodist Church, South by Mr. William E. Halsell, a prominent rancher in the vicinity of Vinita who named the school in memory of his little daughter, Willie Edna Halsell who died in 1884.

MATTHEW LEEPER, CONFEDERATE AGENT AT THE WICHITA AGENCY, INDIAN TERRITORY

By Jeanne V. Harrison

Introduction

The death of Indian Agent Matthew Leeper in the Federal attack on the Wichita Agency in 1862 remained a foregone conclusion for he never appeared again in this part of the Indian Territory during the Civil War nor afterward. A band of Delaware and Shawnee with some Indian allies, well armed by the Union forces in Kansas, had returned to their old location in the Indian Territory to wipe out the Confederates who had taken over Fort Cobb and the nearby Wichita Indian Agency on the Washita River. The attack took place on the night of October 23, 1862. The Agency building was burned, and the Confederates in charge were killed. A month later, in November, a report to the Confederate Secretary of War at Richmond described the recent battle and the killing of the Agent's forces in the hot fight. This report states that "Leeper was not killed but had escaped."[1] A second report of the scene, received about the same time at Richmond, stated that Agent Leeper and his helpers were murdered in the fight on the Washita River in the Indian Territory.[2] Some researchers and writers on the Civil War in this Trans-Mississippi region still accept this second report: Confederate Matthew Leeper "was killed on October 23, 1862."

Joseph B. Thoburn, who pioneered writing of history about Oklahoma from the time of his arrival in Oklahoma City in 1899, was a good mixer and researcher for stories among old timers, both the Indians and the whites. Down around Fort Sill, he learned that Matthew Leeper had escaped to Texas when Union Indians made the attack on the Wichita Agency during the Civil War. Mr. Thoburn began research on this subject and finally contacted Colonel Leeper's daughter, Mrs. Jeanne V. Harrison, living in Sherman, Texas. She replied to Mr. Thoburn's request and wrote the story of her father's life in 1910. Mrs. Harrison's manuscript in her own handwriting is now a part of the Thoburn Collection of historical papers in the Oklahoma Historical So-

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1 Correspondence—Confederate Headquarters, Trans-Mississippi Department, Little Rock, Arkansas, November 15, 1862, (Received December 15, 1862) to Honorable Secretary of War, *Official Records of the Union and Confederate Armies*, Series I, Volume XIII, p. 919.

2 Correspondence—Confederate, from Fort Arbuckle, Indian Territory, November 2, 1862, to Major General Holmes, commanding Trans-Mississippi Department, *Ibid.*, p. 919.

(Print from Sturm's Oklahoma Magazine, 1910)

MATTHEW LEEPER

Confederate Agent to the Caddo and other
Indian tribes of the Wichita Agency
1862

ciety.[3] This account gives the life of Matthew Leeper, a thrilling story of his early days in the West with the details of the burning of the Wichita Agency and his flight to Texas during the Civil War. Mrs. Harrison's story of Colonel Leeper has never been printed and is published here in *The Chronicles* for the first time.

—The Editor

Matthew Leeper was born on the 14th of April, 1804 at Charlotte, North Carolina. His grandfather (who spelled his name Le Pere, or La Pere) was a Huguenot who came from France to what was then the Dominion of Virginia including the Carolinas. Here he purchased a plantation and sixty Negros. He left two sons Matthew and Jaques or James. James was the father of Matthew the subject of this sketch. When war was declared between Great Britain and the Colonies both these sons enlisted in the American Army, serving alternately as their mother was then a widow, and the Government generously allowed each son to serve for a term of six months one relieving the other so that their mother would not be left alone, and unprotected during such turbulent times—My grandfather (James) was at the battle of King's Mountain. His pension as a soldier in the Revolutionary War is still in possession of the family. James married and had two sons and three daughters, Matthew being the youngest son and youngest child. He was educated at Chapel Hill, North Carolina.

The family possessed the American nomadic temperament and tendency to "move" from place to place, leaving North Carolina they went to Georgia, thence to Tennessee. While living here Matthew studied law. Later the family went to Alabama thence to Mississippi, he was in Tennessee when he reached his twenty-first year, and cast his *first* vote for Sam Houston as Governor of that state. They were always warm personal friends—

While living in Mississippi he was appointed Receiver of Public Moneys for the Territory and later the State of Arkansas. He continued to hold that office without interruption through *every* Administration from General Jackson, to Mr. Pierce. When the California Gold Fever became such an epidemic he was inspired to cross the plains and recuperate forfune in the wonderful gold fields, so in 1852, he made great preparations for the long journey to find the end of that bright rainbow of promise. His

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[3] The letter of transmittal of this manuscript to Mr. Thoburn from Jeanne V. Harrison states: "I have written a very *hurried* and imperfect account of some of the incidents in his long and eventful career. I do not know that it will be in any way serviceable, nor what you desire, but I send it in case it may prove useful or *some part of it* of use to you." —Jeanne V. Harrison, to Mr. Thoburn, letter dated Culler's House, Sherman, Texas, April 4, 1910.

"outfit" cost him $10,000.00 for he provided for the transportation and support of forty white men, who were anxious to try their fortunes in the new El Dorado, but had no means of reaching the country, so they took an oath binding themselves to work for him for the space of a year after reaching California, in payment for their transportation. He also took with him two valuable negro men, promising them freedom if they remained with him and worked faithfully for that length of time. The long tedious journey was disasterous, every *white man* left him so soon as they reached California, the negros were faithful and received the promised boon of freedom. After three years of failure and disappointment he came back a sadder wiser, and alas! a much poorer man!

When Mr. Buchanan became President he was offered the position of Consul to Smyrna in the Mediterranean or to Matamzas in Cuba but he then owned a number of slaves most of them family servants whom he did not wish to sell, and of course they could not be transported to the far East, nor even to the West Indies, therefore he declined those appointments and was given the position of Indian Agent for the Comanches, then in Texas.

Such antagonism and dissatisfaction soon arose between the Indians on the Texas reservations and the White settlers that it was deemed best for both to remove the Indians out of that state to Reservations upon the border of Indian Territory.[4] Consequently in August of 1859 he left the Reservation at Camp Cooper Texas, with all of the Indians under his charge, his interpreters, etc. and with an escort of six companies, Infantry and Cavalry, set out for the new reservation and hunting ground near Fort Cobb in Indian Territory—The caravan made quite an imposing show, with the long line of troops, wagons, and conveyances, the Indians mounted and on foot.[5] Their small chil-

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[4] This refers to the removal of the Caddo Indians and affiliated tribes from the Brazos Reservation in Texas in 1859. The removal began in July, and the Indians were settled on the Washita River at the present site of Anadarko, Oklahoma. Major Robert S. Neighbors was the Supervising Indian Agent, and Colonel Matthew Leeper was in direct charge of the Comanches who had lived on a reservation on the Brazos River.—*Report of the Commissioner of Indian Affairs*, 1859, pp. 322-333; Raymond Estep, "Lieutenant William E. Burnett's Letters: Removal of the Texas Indians and the Founding of Fort Cobb," *The Chronicles of Oklahoma*, Vol. XXXVIII, No. 4 (Winter, 1960-61), pp. 371-378.

[5] The immigrating Indians from the Brazos Reserve were accompanied by an escort under the command of Major George H. Thomas, Second Cavalry. One of the lieutenants of the Second Cavalry was James E. Harrison, the husband of Colonel Leeper's daughter, Jeanne V. Harrison,—Joseph B. Thoburn, "The Coming of the Caddos," *Sturm's Oklahoma Magazine*, November, 1910, Vol. XI, No. 3, pp. 63-72. See *Appendix* for sketch of life of James E. Harrison and also Mrs. Jeanne V. Harrison's letter to Dr. Thoburn acknowledging receipt of articles he had written in which he mentioned her husband.

dren, lodge-poles, and domestic belongings packed upon ponies of varied colors and condition. The departure was accompanied by a perfect babel of noise, Indians galloping hither and thither calling to each other, hosts of popooses shrieking from fright at seeing so many strange faces, and such undue excitement, dogs howling, barking, and fighting the intruding canine contingent—Mules having dire presentiment of arduous labor in store for them, brayed out dismal protests. The blast of the cavalry trumpet, shrill notes of the fife, and roll of the Infantry drum, all contributing to the din, and pandemonium of the exodus. The caravan at last started, with face turned towards the New Land of Promise, traveling by day and camping at night where streams provided wholesome water and grazing for animals was abundant.

Some times the camps were picturesque in the extreme, pleasantly shaded and cool after a long days march through heat and dust, the prairie spreading out its beautiful carpet of many colored flowers was a delight to the eye. Then, there was the long line of white tents, and hooded wagons—the Indian Camp with its hundreds of tepees and camp-fires which sent up their lurid flames as night closed down upon the scene, making it a vision of enchantment. When one grew accustomed to the perpetual thumping and beating of the Indian tom-toms accompanied by the droning monotonous songs of the Indians, one could spend a night of restful sleep in spite of an army of barking dogs and the weird howling of hungry coyotes.

It required several weeks to accomplish this journey which altogether was a novel experience and by no means an unpleasant one, as the country was attractive and game abundant, such as turkey, deer, and antelope, and at times, the plains resounded with the hoof beats of hundreds of buffalo.

Sometimes our way led through a wooded country with clear meandering streams, again through a district resembling a park, dotted with yucca, and flowering shrubs and miles of dwarfed trees perfect in shape. Then, we made our way over broad plains of waving grass, and flowers of every hue. Under ordinary circumstances it would have been a hazardous Journey through this region which was the hunting ground and debatable land infested by warlike tribes, but we felt quite sēcure from molestation guarded by five or more companies of soldiers. In this land, then so new to the white man, settlements and villages have sprung up, and it is hard to realize that here for centuries the Indian lived his nomadic life, hunting, and in fierce tribal conflicts. They have found their eternal hunting-ground, and their race is vanishing like last years snow.

Col. Leeper was always hospitable even under very adverse circumstances. One day after reaching the end of the journey,

and having established himself in camp, he invited a number of the officers to dine with him. This dinner was necessarily prepared in the open air, and the odor of viands rose on the prairie air promising an enjoyable and welcome feast. Then suddenly a great roaring sound was heard which grew nearer and louder until the clatter of hundreds of hoofs and bellowing of excited leaders proclaimed the rapid transit of an immense herd of buffalo. It was their habit as fixed as the laws of the Medes and Persians *never* to swerve from their straightforward course, and unfortunately for that expected feast, the improvised kitchen was immediately in their way. The great herd passed like a cyclone, leaving a cloud of dust, some scattered fragments of cooking utensils but—no dinner!

Soon it became necessary for Col. Leeper to return to Texas temporarily, especially as his family had accompanied him for the novelty of the expedition.[6] As there was some delay in getting a military escort he and Major Neighbors decided to depend upon the thirteen civil employees to act as protection. For several days the return journey was accomplished in safety. No appearance of any hostile Indians or danger, although the men talked continually of their desire "to have a shot at those cowardly Red-skins."

One day they stopped for a noon day luncheon, near a small shaded stream—After eating, Col. Leeper lay down under the shade of a tree to enjoy his usual afternoon nap. His little son, a lad ten years old, was playing down in the undergrowth near the stream where the horses were tethered, he happened to look where they were tied, when he saw some Indians crouched in the tall grass, in the act of untying the animals. He ran at once and gave the alarm and Col. Leeper sprang up, seized his shot gun, and ran toward the Indians who immediately began to shoot. The other men who had been talking for days of their wish to meet and teach the ugly Red-skins a lesson—*were looking for their guns* in the carriage and wagons, all except one Mexican who had been looked upon as a coward by his companions. He sprang upon his horse, waving a red cloth, and with a loud yell galloped out to Col. Leeper's relief and the Indians hearing his whoop, thinking all the rest of the party were upon them, ran off into the woods. By this time Col. Leeper was almost exhausted from loss of blood, having been shot through the stomach, through the wrist and leg, and would have been killed

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[6] Jeanne V. Harrison had accompanied her father and members of the family on this memorable journey of the Caddo from Texas to the Washita River, Indian Territory. The story of her father, Colonel Matthew Leeper, in this number of *The Chronicles*, therefore contains first hand memories from Mrs. Harrison herself.

had not the Mexican have come to his aid—Of course, there was the greatest excitement and consternation in the Camp. Col. Leeper's wounds were bound up as well as could be done under existing circumstances—and a bed improvised in a large traveling carriage. By that time, the afternoon was far advanced, and they started upon the journey keeping a careful look out for Indians who might be in ambush, behind the foothills, or at any sudden turn of the road and attack them at any moment.

So soon as it became dusk they withdrew from the main trail and drove into a sheltered ravine to camp. A cold rain began to fall making everything most uncomfortable as they dare not build a fire, nor strike a light for fear of lurking Indians discovering them. Col. Leeper suffered intense pain from jolting over rough roads and his uncared for wounds. It seemed as if the fearful night would never pass, and at the peep of dawn, the travelers were underway again. The rain had made the ground very heavy and when the Wichita River was reached, they found that stream swollen from the rain, the water foaming and boiling as it rushed in a wild torrent over obliterated banks. Now, the serious question arose as to how to cross this angry stream with women and children and the wounded Colonel. A raft was constructed, and the helpless ones tied upon it with ropes, while some of the men swam the torrent guiding the raft as it bobbed up and down over the rushing water—"Alls well that ends well," and after much difficulty and delay all were safely landed, and although cold and wet, and weary, they proceeded upon the Journey until the Brazos River intervened, this was not only out of its banks from the freshet, but dangerously full of quicksand and for that reason most unsafe for any light vehicle to attempt crossing, but again fortune was propitious, for a large train of ox teams happened to be encamped there, and for a liberal consideration they convoyed the carriages across, and all were delighted to seek shelter under a roof at Fort Belknap.[7]

Here for the first time Col. Leeper received necessary surgical attention for he was suffering acutely from his wounds—the next morning after he awakened he said to his wife: "Do not let the children go out today, I feel sure something dreadful is going to happen." He had scarcely spoken when his servant man came in looking as ashy pale, as the Negro can look and said that Maj. Neighbors had been shot in the back, and instantly killed, and that he thought they were going to kill Col. Leeper.

No one dared touch the body of the murdered man for fear of offending the desperado who had committed the dastardly deed,

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7 Thoburn, "The Coming of the Caddos," *op. cit.*, p. 71.

and the excited populace—The body of the murdered man was left undisturbed until the afternoon, when Col. Leeper's Negro servant digged his grave and buried the body.[8]

Returning to Camp Cooper Col. Leeper remained under medical care for some time, but it was years before he quite recovered from the effects of his wounds.

In the beginning of the Civil War he was reappointed by the Confederate Government as Agent for the Comanches—A commodious agency had been built near Fort Cobb, and leaving his family in Sherman, Texas, he went to the Agency taking with him his faithful servant. Reaching there late in the afternoon, very tired after an uncomfortable journey, he determined to retire early. For many years he had been in the habit of eating a luncheon at mid-night, and something was always reserved for this colation, after which he enjoyed a "smoke" and then went back to bed to sleep the sleep of a strong man until morning, but this night he found that there was no light in the house except a small remnant of candle, and realizing that this would be required to illuminate the mid-night meal, he retired without a light. This trifling circumstance was the means of saving his life, for had he kept the candle burning, the enemy would have discovered his whereabouts at once. He had scarcely fallen asleep when he was awakened, by fiendish cries, and war whoops, firing of guns, and screams of the wounded, the noise from breaking down doors and windows, and horrible groans from the dying. He knew they were searching for him, so he sprang out of bed, barefooted, seized his shot-gun, and called to his servant to run and hide. Without waiting to dress he then ran towards a small creek near by, and hid himself under a high ledge of rocks, from this doubtful hiding place he could hear them calling and searching for him everywhere. The whole place was soon illuminated as they set fire to the buildings, and in that ghostly light he realized that he could no longer conceal himself and he determined to wade up the stream, so that no trail would be left for the enemy to follow. He was most scantily clothed, and barefooted and the early October morning was piercingly cold, but he stumbled on through the stony channel of the creek. It was just dawn, when he discovered a party of Indians approaching and gave up all hope of escape, supposing them to be the enemy in search of him, but no sooner did they see him than the leader called out: "Oucksey Paribo—" (See the Captain) and he recognized to his great relief, one of the Comanche chiefs—

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[8] *Report of the Commissioner of Indian Affairs*, 1859, pp. 333-34; Thoburn, "The Coming of the Caddos," *op. cit.*, pages 63-71. (The murder of Major Neighbors took place at the small town of Belknap, in the vicinity of Fort Belknap, Texas.)

(Muriel H. Wright Collection)

TO-SHE-WAY

This picture is from an original photograph taken in 1871. At this time, To-She-Way, a Comanche, was a member of the Indian Police at Fort Sill. He wears a blue coat and the high federal hat, surplus supplies from the Union Army of the Civil War.

To-che-way—They took him to their camp, but still fearing an attack from the hostile Indians they hid him in one of their tepees. The sympathetic squaws wept to see "Paribo" in such a sad plight, and as he was shivering from cold, they made a bed and covered him with buffalo robes and blankets, putting hot stones to his feet. They also insisted upon his eating and brought some "Jerked beef" and bread, but he had seen them prepare the *bread* (the dough had become stiff, so they spat upon it until it was sufficiently moist to form into cakes which were baked upon hot stones) so he thanked them and ate the *beef* but said he *never* cared for *bread.*

The Comanches expected an attack upon their camp, and were all ready prepared to start for the plains. In that case they would have taken Col. Leeper with them, but after three days went by, and the country seemed quiet, the enemy had disappared and all danger past—To-she-way gave Col. Leeper a pony, a buffalo robe, and an old beaver hat without a brim. These were really magnificent gifts from their point of view. Col. Leeper offered him his gold watch, and chain, which he still wore, but To-che-way refused remuneration for his hospitality saying sometime he would make the Col. a visit.

Thus equipped, the Col. started homeward. He was a man six feet, three inches tall, and the pony was small. He often laughed at the ridiculous appearance he must have presented, unkempt, wrapped in a huge buffalo robe, the old brimless hat down over his ears, and feet *almost* touching the ground giving the effect of a pony with six feet instead of the usual four!!

After several days wandering he saw another man plodding in a slow, weary way through the woods—It proved to be his Negro servant who had also escaped from the otherwise general massacre. Col. Leeper was more than relieved and glad to see him and shared rides with him upon the pony until they reached the settlements.

Very shortly after the massacre occurred, Col. Leeper's wife said to her children, "I have had such a dreadful dream about your father. I dreamed that he had been scalped by the Indians who had attacked the Agency and killed everybody"—While she was speaking some one knocked on the door bringing the news of the attack and tragedy, which had been reported by some friendly Indians, giving a detailed account of the horrible massacre, and Col. Leeper's death—Some time afterwards he came into the town like one risen from the dead, travelstained and faint from scant nourishment, extreme fatigue, anxiety, and hardships.

A year later To-she-way made his promised visit in state, accompanied by several wives, and numerous relatives—The Col. was glad indeed to have an opportunity of proving his gratitude for their kindness and timely aid at a time of such dire necessity, and sore need, and gave them bountiful supplies of sugar, flour, apples, blankets, and other things they desired.

Col. Leeper remained in Sherman until his death in 1894 at the venerable age of ninety.

J. H.

APPENDIX

Notes on the Life of James E. Harrison

The following letter and postscript note from Mrs. Jeanne V. Harrison to Dr. Joseph B. Thoburn was written on August 16, 1910:

Fort Crook, Nebraska
August 16, 1910

Dear Mr. Thoburn

I received your letter and shall be delighted to see the articles when published.

I am suffering from a very lame hand and cannot guide my pen very well, but I wanted to send you the address of Mrs. Neighbor's sister and I feel sure she can give you any information you may require. Her address is:

Mrs. Katherine M. Darden
112 Culberson Street
Dallas, Texas

Hoping you receive all the information desired, I am,
Very sincerely,
Jeanne V. Harrison

If you should have any difficulty in getting a picture of To-she-way I have one which I could send you. To-she-way translated means "Innocent Dove"!.

I had just written this note and was waiting to take it to the post box when the two magazines you so kindly sent were handed to me. I cannot begin to tell how much I thank, and appreciate the kindness. I have not had time to glance over the Journals as I wanted to open this letter and tell you of their safe coming, but I am sure I shall find them most interesting—The picture of my husband is excellent.

Again thanking you,
I am,
Very sincerely,

(Signed) Jeanne V. Harrison

Biography of James E. Harrison[9]

James E. Harrison was born in Virginia in 1832. He was commissioned as a second lieutenant in the U. S. Revenue Marine Service in 1853. During an Indian campaign in Washington

Territory, October, November, and December, 1855, he joined the U. S. troops as a volunteer and participated in a number of engagements, succeeding to the command of Lieutenant Slaughter at the death of that officer, he conducted the remaining troops and returned them back to Fort Steilacoom.[10] For this service, he was mentioned in orders for conspicuous gallantry during the campaign and was commissioned a second lieutenant in the Second Cavalry when it was organized June 27, 1856. He joined his regiment at Camp Cooper in Texas the following December, where he was stationed until June, 1858, when he was transferred to Fort Belknap. Later in the same year, he was stationed at Camp Radziminiski in the Indian Territory.[11]

The Second Cavalry was one of two cavalry regiments sometimes referred to as the "Jeff Davis Regiments" for the reason that Jefferson Davis was U. S. Secretary of War at the time they were organized. Commissioned officers of this regiment include names that are noted in history: Colonel Albert Sydney Johnston, Lieutenant Colonel Robert E. Lee, Major George H. Thomas, and other commissioned officers—Earl Van Dorn, Wil-

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9 The sketch of James E. Harrison was compiled by the Editor from several sources, including a manuscript of notes on his life by Joseph B. Thoburn (Thoburn Collection, Manuscript File, Oklahoma Historical Society). Also, references are found in: W. S. Nye, *Carbine and Lance* (Norman: 1937) pp. 29, 32; Raymond Estep, "Lieutenant William E. Burnett's Letters on the Removal of the Texas Indians to Indian Territory," letter dated July 13, 1859, *The Chronicles of Oklahoma*, Volume XXXVIII (1960); Joseph B. Thoburn, "Battle With The Comanches," *Sturm's Oklahoma Magazine*, August, 1910, Vol. X; ————————, "Battle With The Comanches, Van Dorn's Second Campaign," *ibid.*, October, 1910, Vol. XI. Records used are found in *Official Records of the Union and Confederate Armies*, Series I, Vol. 27, Pt. 1, before the Gettysburg Campaign, Army of the Potomoc, 1863, p. 1045; *ibid.*, Vol. 49, Pt. 2, pp. 57, 206, 224, 386; and Francis B. Heitman, *Historical Record of the United States Army*, 1789-1903 (Washington: 1903), p. 505.

10 Fort Steilacoom, Washington, Department of the Pacific, established 1849.—*Mansfield on the Condition of Western Forts.* Robert W. Frazier, ed. (Norman: 1963), p. 117n.

11 The permanent site of Camp Radziminiski is located about two miles west of present Mountain Park, in Kiowa County, the site having been temporarily at one or two other locations on Otter Creek. The camp was named for Charles Radziminiski, exile from Poland, and a patriot and pioneer in the United States. He served as an officer in the U. S. Dragoons in the war with Mexico. Later he was an officer in the Second Cavalry in Texas under Colonel Robert E. Lee and was subsequently at Camp Cooper. He was on sick leave July, 1858, and died in Memphis of consumption August 18, 1858. The members of the Second Regiment honored their valorous comrade in naming the encampment. A rugged mountain height within a mile of the site bears the name "Mount Radziminiski."—Stanley F. Radziminski, "Charles Radziminski: Exile, Patriot, Pioneer," *The Chronicles of Oklahoma*, Vol. XXXVIII (Winter, 1960-61).

liam H. Emory, E. Kirby Smith, George Stoneman, and Fitzhugh Lee.

The men of the two cavalry regiments had been enlisted for their experience in the field and were mostly native born Americans. It was reported the new command had the best mounted regiments ever known in the U. S. Service. Most of the horses were saddlebred horses purchased in Kentucky at an average price of $150 each—a very high price for horses in those days. The regimental uniforms were "striking in appearance, especially the dress uniforms, which were gay and natty, with their braided trim of cavalry yellow. The officers wore silk sashes, brass shoulder scales, and plume Kossuth hats." The men were armed with carbines, Colt revolvers, and sabres. While on camp duty, the men of the command spent much of their time training their mounts. The horses were so trained that when herded out to graze from the encampment, the whole herd would immediately return to the stockade on a certain signal, which often saved the cavalry mounts from plundering Indian bands and outlaws.

While Lieutenant Harrison was stationed at Camp Radziminiski, he participated in the battle with Comanches at the Wichita Village (near present Rush Springs, in Grady County), on October 1, 1858. Major Van Dorn's troops out of Radziminiski fought a hand to hand battle with the indians on the field. At one time during the fight, Lieutenant Harrison saw a band of Comanches driving a small herd of horses over a distant ridge. He and his men pursued the Indians for miles, killed several, and captured the horses. Harrison turned back to the battlefield, feeling that he and his men had won a good fight. To his amazement, he saw some of his own "troops lined up to receive him with a volley in the face." They thought his detachment was an Indian reinforcement, but fortunately, they realized who he was before the order of fire was given.[12]

Young Harrison was commended in orders from General Scott for his valorous service in the fight. Some of the cavalry troops had been killed in action, and others wounded, among them Captain Van Dorn himself was severely wounded. As soon as Van Dorn was able to travel, he and his troops returned to Camp Radziminiski where they remained during the winter of 1858-59, experiencing severe cold weather and deprivation and want of feed for their horses. Late in the spring of 1859, Van Dorn organized for another campaign against the Comanches. His command left Radziminiski and traveled north through western Oklahoma into what is now Kansas. Some time late in April, another battle with the Indians took place on Crooked

12 Nye, *op cit.*, p. 29.

(Print from Sturm's Oklahoma Magazine, 1910)

JAMES E. HARRISON

Lieutenant Colonel, Fifth Cavalry, U.S.A., 1862

Creek, a branch of the Cimarron River, about eighteen miles south of old Fort Atkinson. Here again the troops were victorious and among those cited for gallantry was Lieutenant Harrison. On the return to Camp Radziminiski, Harrison was on leave of absence from June, 1859 to February, 1860. He returned to Camp Cooper where the U. S. forces were stationed in Texas. It was during this summer of 1859 that the Indians of the Brazos Reserve were removed to the Washita River in the Indian Territory. Matthew Leeper, as the agent of the Comanches, was on this great trek, and was accompanied by his family, his wife, two daughters, and a little son. While there is no record for verification, it seems that Lieutenant Harrison, though on leave of absence, joined his company (Company H) under Major George Thomas at Camp Cooper, who escorted the Indians to the Washita River, for the route north was well known to the young lieutenant. After the return of Colonel Leeper with his family to the region of Camp Cooper, Lieutenant Harrison and Jeanne V. Leeper were married. Harrison rejoined his command but was again on leave of absence from September, 1860, to January, 1861. He was in command of his company at Camp Cooper when all the U. S. forces stationed in Texas were surrendered to the Secessionists by General Twiggs. Harrison marched from Camp Cooper to the coast, where he took passage with the first detachment of troops for New York. He arrived in Washington, April 17, 1861.

Although James Harrison was offered many inducements in the way of advancement and promotion in the Confederate service with those of his native state of Virginia, he restated his allegiance to the Federal government and was commissioned as First Lieutenant in the U. S. Second Cavalry on February 27, 1861. He was commissioned captain, Fifth Cavalry, May 30, 1861. He was in the active service in the campaigns in Virginia and Maryland in 1861 and 1862, during which he was repeatedly mentioned in the reports for his gallantry in action and valorous service. He participated in many battles from September, 1862, to June, 1863, including General Stoneman's Raid toward Richmond. As a result of the hardships in the campaign in the summer before the Battle of Gettysburg, Captain Harrison suffered a sunstroke. He was compelled, because of his health, to take less active service in the North for a time. He finally returned to Washington, where he served in the Cavalry Bureau.

In the summer of 1864, Harrison was assigned to the Department of Arkansas as an inspector of Cavalry, where he served until January, 1865. On April 4, he was at Memphis, Tennessee, under orders to proceed to New Orleans to inspect the cavalry mounts at the headquarters of the Department of the

Gulf. He remained in this military division of the army until June, 1867, when his failing health compelled him to return to his home at Washingtn, D.C., where he died of consumption November 4, 1867. James E. Harrison was commissioned brevet major, Fifth Cavalry, to date from May 22, 1862 for gallant and meritorious service at Hanover Court House. He was commissioned with the brevet rank of lieutenant colonel dated from September 17, 1862, for gallantry in action at the battle of Antietam. Early in the Civil War, he was offered the commission of colonel in two volunteer regiments — from New York and Pennsylvania — but declined both offers because of the expressed wish of the commander of cavalry. It was pointed out to him that his presence with his old regiment was urgently required because of so few officers serving with the regular cavalry. In his earlier service in the Marines in 1854, Lieutenant Harrison received recognition for his heroic services in the rescue of officers and men of the Revenue Cutter *Hamilton* wrecked on December 9, 1853. Young Harrison was presented at this time with a silver goblet by the citizens of Charleston, South Carolina, a memento treasured by his family.

EDITORIAL OPINION IN OKLAHOMA AND INDIAN TERRITORIES ON THE CUBAN INSURRECTION, 1895-1898

*By David C. Boles**

Although Spain had liberalized her policies toward Cuba, annexation sentiment again became prevalent during the Cleveland administration. In 1890, Spain sharply increased duties on American goods. After much agitation, a reciprocity treaty was signed in 1891. American commerce jumped overnight, but in 1894, the treaty was withdrawn. The shock to Cuban business, the 1893 depression, plus our unexpected 1894 sugar tariff, threw Cubans out of employment. These fundamental causes brought the revolt lead by Maximo Gomez and Antonio Maceo.[1]

In 1893, Spain made a genuine attempt to extend a measure of autonomy to Cuba. Its failure and an insincere proposal in 1895 were unsatisfactory to Cuban leaders. Thus the island had its political as well as its economic grievances. Economic depression was the basic dissatisfaction of the Cubans in 1895. Sugar exportation made up four-fifths of the Cuban wealth. Hence, interference with the economic situation laid a foundation for the ultimate success of the revolt which was quite absent in earlier revolts.[2]

There were many Cuban exiles in the United States when the revolution began in 1895. Many of these individuals had been exiled in 1875 either by order or choice. By 1892, it was said that most of the Cuban patriots were in New York or Florida and that no organized revolutionary party existed in Cuba.[3] It was certain that most of the Cuban leaders were engaged in organizing, financing, and propagandizing activities outside Cuba. Revolutionary juntas existed in New York, Washington, and several Florida towns, and assumed an active role in directing the course of the gathering storm.

The revolt itself broke out on February 24, 1895. The movement had capable and enthusiastic leaders. Three leaders to re-

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* This paper on "Editorial Opinion in Oklahoma . . . on the Cuban Insurrection" (1898) has been contributed to *The Chronicles* by David C. Boles, prepared in his work for the Ph.D. degree at the University of Oklahoma. The paper was written for a class in Diplomatic History instructed by Dr. Russell Buhite.

1 Carleton Beals, *The Crime of Cuba* (Philadelphia: J. B. Lippincott Company, 1933), p. 125.

2 Russell H. Fitzgibbon, *Cuba and the United States, 1900-1935* (Menasha, Wisconsin: George Banta Publishing Company, 1935), pp. 14-15.

3 *Ibid.*, p. 15.

ceive the most recognition in the United States were Maximo Gomez, white-haired Dominican general who returned to serve Cuba in the field; Antonia Maceo, brilliant mulatto strategist; and Tomas Estrada Palma, head of the New York junta in the 1895 rebellion and the first president of the real republic.[4]

Independence of Cuba was proclaimed on July 15, 1895. On September 16, a constitution of the self-styled Republic of Cuba was announced and a provisional government established.[5] The capable Spanish leader, Marshal Martinez Campos, was succeeded as Spanish commander by General Valeriano Weyler who soon gained an unenviable notoriety for himself. Spanish tactics were fully equalled if not exceeded by severity, by the campaign of destruction conducted by insurgent troops under Gomez who declared that if Spain would not relinquish Cuba, he would make it worthless for them.[6]

The position taken by the United States government toward this new revolution beginning in 1895 was the source of much discussion. Already American and Cuban relationships had become so extremely intermingled, it seemed out of the question officially to ignore the new insurrectionists. On July 12, 1895, Cleveland issued a proclamation which in effect recognized a state of insurgency in Cuba although not belligerent status.[7] This was a relatively new and not completely understood condition in international law. In his presidential proclamation, Cleveland attempted merely to admonish United States citizens strictly to observe the neutrality laws.

The nature of things tended to create universal sympathy for the Cubans' plight. Even had the island not otherwise been in the center of the world's news current, "butcher" Weyler's spectacularly harsh treatment of noncombatants would have excited general condemnation. From New York, Cuban propaganda created a rising tide of humanitarian feeling throughout the country. The propaganda threatened to engulf presidential reluctance and any remaining Congressional doubts in its irresistible flood.[8]

Feelings in Congress were strongly favorable to the Cuban cause, and by 1896, there had arisen a demand for recognition of Cuban belligerency. With the support of a considerable body

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[4] Beals, *op. cit.*, pp. 96-97, 105-107.

[5] Willis Fletcher Johnson, *The History of Cuba* (New York: The Century Company, 1920), pp. 47-50.

[6] Charles Edward Chapman, *A History of the Cuban Republic* (New York: The McMillan Company, 1927), p. 80.

[7] Fitzgibbon, *op. cit.*, pp. 17-18.

[8] Chapman, *op. cit.*, pp. 81-82.

of authority, both legal and political, Cleveland declined to take action.[9] Cuba continued to draw a large share of popular and Congressional attention throughout 1896, although for several months the presidential campaign received first attention. In his final annual message, Cleveland included a detailed outline of the Cuban situation and of the possible courses of American policy. Spanish demands for an unconditional surrender on the part of the insurgents appeared unreasonable to Cleveland. It seemed that if Spain would offer the Cubans genuine home rule, peace might be effected on that basis. Cleveland stated that the United States could not let the insurrection drag on forever.[10]

Popular and official attention returned to the Cuban question with greater force in 1897. In no small degree the credit or blame lies with the press of the country, especially that of New York. In September, 1895, William Randolph Hearst had purchased the *New York Journal* and soon afterward entered on his famous and bitter rivalry with Joseph Pulitzer and his *New York World.* The character of American journalism was then entering a new phase of development. The sensational news story, the flamboyant headline, and the lurid illustrations were the adoption of the "yellow press."[11]

Truths, half-truths, and untruths were issued in great abandon from the New York junta and were ineffectively combated by the otherwise capable Enrique Dupuy de Lome, Spanish minister to the United States. The later allegation that Hearst single-handedly brought on the war with Spain could not be soberly substantiated. On the other hand, it can not be questioned that he and the journalistic fraternity in general were a factor of importance.[12]

Success of the insurrectionists during 1897 was only desultory, and, before the end of the year, the energetic measures of General Weyler were turning the tide against them and compelling their greater and greater resort to guerrilla methods of fighting. After the assassination of the Spanish minister, General Weyler was recalled, and he was replaced by the less notorious Don Ramon Blanco.[13] With the coming of 1898, the insurrectionists were becoming exhausted, and Spanish arms seemed to face the prospect of success. After a fashion, autonomy had

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9 *Ibid.*

10 Allan Nevins, *Grover Cleveland: A Study in Courage* (New York: Dodd, Mead & Company, 1933), p. 717.

11 *Ibid.*, p. 713.

12 John K. Winkler, *W. R. Hearst, An American Phenomenon* (Boston: Little, Brown and Company, 1928), pp. 146-150.

13 Chapman, *op. cit.*, p. 83.

been granted by Spanish royal decrees effective January 1, 1898.[14]

Two events suddenly crystallized public opinion in the United States: the de Lome letter and the sinking of the battleship *U. S. S. Maine.* The de Lome letter had criticized President McKinley while the sinking of the *Maine* had caused the death of over 200 American sailors. After careful investigation of both incidents, President McKinley, on April 11, 1898, stated, "Intervention is justified for the sake of humanity, for the protection of United States citizens in Cuba, because of injury to American commerce, and because of the menace of the peace of the United States caused by conditions in Cuba." This was followed on April 30, 1898, by a formal declaration of war.[15]

During the period, January, 1895, to April, 1898, the area of land which eventually became the state of Oklahoma was divided into two territories. The western part was called Oklahoma Territory while the eastern part was known as Indian Territory. The Cuban insurrection was given considerable editorial consideration, although statehood and territorial problems were the major issues discussed by the territorial editors.

The initial editorial comment pertaining to the Cuban insurrection was found in *The Daily Oklahoman* on March 19, 1895. The editorial stated, "Uncle Sam had just as well take Cuba in and be done with the perennial Spanish vexations. The time is ripe for annexation."[16] Later in the month, it was rumored that an American schooner had been sunk in Cuban waters. If the rumor was verified, it was suggested that the United States had justification for "adding one of the fairest domains of earth to the sisterhood of states."[17]

During March, W. H. Melton, editor of the *Tecumseh Herald,* mentioned incidents. The Cubans had formed a provisional government, and the Spanish minister had presented to Secretary of State Gresham a list of American citizens who had collected arms for the Cuban cause.[18] This and later action by the Spanish minister brought about this short editorial: "Diplomacy, as signified by the utterances of the Spanish minister at Washington, is the art of shooting off one's mouth to the least possible advantage to one's reputation for good sense and good

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[14] *Ibid.,* p. 84.

[15] Fitzgibbon, *op. cit.,* p. 23.

[16] *The Daily Oklahoman,* March 19, 1895.

[17] *Ibid.,* March 20, 1895.

[18] *Tecumseh* (Oklahoma) *Herald,* March 23, 1895.

manners. Cuba will not get over the revolution habit till it is annexed to the United States. . . ."[19]

Comment against Spanish control of Cuba was intense throughout the period, 1895-1898. One such statement emphasizing this feeling was, "there are, it is reported, 42,000 Spanish troops in Cuba, who are to be reinforced by 7,000 more from Spain and Porto [*sic*] Rico, armed with mause rifles. The insurgent force seems to be mainly composed of newspaper correspondents armed with pencils, Kodaks and like deadly weapons."[20] General Campos, the pacificator of Cuba, undoubtedly belonged to the old school of pacificators, who believed that the best rebel was a dead rebel. This was another factor which brought sympathy in Oklahoma to the Cuban cause.

The action of the President was criticized by a June 15 editorial. "President Cleveland has issued a proclamation commanding citizens of the United States and all persons within her jurisdiction to refrain from assisting or attempting to assist the rebels in the island of Cuba. Now let the Republican wind bags howl and cry aloud that he as in the Hawaiian matter, has performed his duty strictly." It was stated that many influential newspapers were discussing the annexation of Cuba and Hawaii, and some Oklahoma editors thought it might be good to annex Oklahoma and Indian Territories also.[21]

In late March, it was reported that the rebel leaders in Cuba were conferring with the Spanish about the possible cessation of hostilities and surrender of arms.[22] This report turned out to be Spanish propaganda. About this time, Oklahoma and Indian Territory papers began to report American help being received by the various rebel groups.[23] It was reported that a large amount of money had been contributed to the Cuban cause by successful Cuban businessmen in New York. One editor wrote, "No wonder people were surprised at the publication of the assertion that the Cuban revolutionists had strong backers in a syndicate of United States capitalists. It has generally been supposed that backing was the one thing needed by the revolutionists; they appear to have frontage to space."[24] This is a reference to editorial space in the New York papers.

From July, 1895, to July, 1896, *The Daily Oklahoman* and the *Tecumseh Herald* continued to be the best sources of infor-

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19 *Ibid.*, April 13, 1895.

20 *The Daily Oklahoman*, March 22, 1895.

21 *Ibid.*, April 2, 1895; June 15, 1895; April 16, 1895.

22 *The Wah-Shaw-She News* (Pawhuska, Oklahoma), March 23, 1895.

23 *The Daily Oklahoman*, May 2, 1895.

24 *Tecumseh Herald*, May 18, 1895.

mation concerning the insurrection. The policy of supporting annexation was unending. This short editorial substantiates this feeling. "The postmaster at Dunnellon, Fla., has taken all of the government funds and has gone to Cuba to help the patriots. The only way to get him is to annex the island." Also, a statement against other European involvement was issued: "Spain threatens to sell Cuba to England to spite the United States. Perhaps England would want to know whether the Cubans want to be bought before purchasing. England can get plenty of fighting before buying a fight."[25]

The last half of 1895 proved to be a period of little action except for the usual reports of filibustering and battles. The reported capture of General Maceo, "the master spirit of the active rebellion,"[26] brought some attention to the war, but most of the opinion became sarcastic during this interval. One paper commented: "The number of Generals reported killed in Cuba would seem to indicate that both sides have more generals than privates."[27] Another paper said: "If the Cuban filibusters, who are always just about to go, and never do go, would really set sail perhaps the correspondents around Key West could find something new to romance about. The time seems ripe, for instance, for a fresh alligator story."[28]

The new year brought no new rush of editorial opinion. The first comment concerning the war in the new year came on January 24: "The war in Cuba moves on apace. Insurgents are still near the Capital and the Spanish fear lest they may go closer yet."[29] The rumored resignation of General Weyler was hailed by many newspapers. This was considered a wise move on the part of the Spanish government. "Spain has soldiers enough and generals enough to overrun the island. But the army has no love for the cause," stated an article examining the reasons for the the Spanish failure in Cuba.[30]

In the first six months of 1896, people living in the twin territories read various types of editorial comments on the Cuban situation. The Muskogee *Phoenix* stated, "We are with the Cuban patriots. Still we are not unmindful that a Spaniard is due the discovery of America."[31] The same paper reported in a very impartial editorial that the effectiveness of the Spanish

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25 *The Daily Oklahoman*, October 31, December 15, 1895.

26 *The Cherokee Advocate* (Tahlequah, Oklahoma), July 6, 1895.

27 *Tecumseh Herald*, August 3, 1895.

28 *The Daily Oklahoman*, November 9, 1895.

29 *Ibid.*, January 24, 1896.

30 *The Daily Oklahoman*, March 5, 1896.

31 *Phoenix* (Muskogee, Oklahoma), March 5, 1896.

army had been depreciated by sickness and desertion. On the other hand, *The Indian Citizen* ignored the problems encountered by the Spanish. This type of editorial was common: "The Spaniards have scored another victory in Cuba. They succeeded in getting away after a losing battle with the insurgents. There is an urgent need of more horses among Weyler's men so that they may get away faster.[32]

Again the opinion centered on events occurring in the war. The favorite target of criticism among the editors was General Weyler. General Weyler occasionally issued statements that he would drive the insurrectionists from the island. His failures aroused many comments. The next two editorials are indicative of those that appeared at this time: The first, "Now that General Weyler has again taken the field in search of General Maceo he might find it advantageous to take a supply of x-ray with him."[33] The second, "General Weyler will give the insurgents one more chance to surrender. This is progress, for it is seldom his forces stop running long enough to make even a surrender possible."[34]

Weyler, as always, shouted of victory, and late in 1896, he appeared to have gained victory in the death of General Maceo. Unfortunately for General Weyler, the war correspondents reported an untrue story. Editorial opinion in Oklahoma followed the felonious story of the incident. It was reported that General Maceo had been assassinated while attending a peace negotiation called by Weyler. This was a false report since General Maceo was killed while in action. This article appeared in Indian Territory: "Weyler boasted that he would gain an important victory over Maceo (Gen. Antonio) before Christmas, but no one ever dreamed that it would be in the form of an assassination."[35]

Rumors of recognition of Cuba by the United States were prevalent during the last four months of 1896.[36] It was speculated during October that if the war in Cuba was not over in three months, the recognition of Cuba would be forthcoming. After the election of 1896, President Cleveland received much criticism. Some editors wrote that Cleveland had "pigeon-holed" every chance of intervention into Cuba. The hope among the Oklahoma editors was that decisive action would be taken by the

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32 *The Indian Citizen* (Atoka, Oklahoma), May 28, 1896.

33 *The Perry* (Oklahoma) *Democrat*, December 3, 1896.

34 *The Tecumseh* (Oklahoma) *Leader*, June 5, 1896.

35 *Tecumseh Herald*, December 19, 1896: *The Alva* (Oklahoma) *Republican*, December 18, 1896.

36 *Ibid.*, October 24, 1896.

new President. This editorial appeared in *The Daily Oklahoman* in the first part of December:[37]

> There is great disappointment throughout the union at the action of President Cleveland in neglecting to take a decided position in behalf of the Cuban insurgents in his message to congress. The general opinion seems to be that the president by the great conservatism overlooked the opportunity to aid the cause of free government in the Western Hemisphere and to make himself famous as well for all ages.

As the year ended, the appeal for support of Cuban independence came to Oklahoma Territory. On December 24, there was a meeting called at the courthouse in Oklahoma City for Cuban independence. This meeting called for the recognition of Cuba. The same newspapers stated on December 24, that if this caused a war with Spain, "Oklahoma City pledges to the government of the United States her quota of men to rescue the gem of the Antilles from the grasp of Spanish tyranny."

There seemed to be hope that with a little urging the Spanish forces might leave Cuba. On the second day of the new year, one editor speculated about a war with Spain. He wrote:[38]

> Should the United States recognize Cuban independence Spain is endeavoring to enlist the aid and sympathy of the other European powers. It is hardly probable that she will succeed, but should she do so the greatest war known to history would be launched. The United States can rely upon the co-operation of Mexico and the South and Central American Republics.

Many statistical reports were included in the editorials during the first two months of 1897. These reports showed that the Spanish position in Cuba and at home was poor. The taxes demanded by Spain of Cuba were $46,600,000 for 1896. Since the insurrection had begun, the deficit on debt owed by the Cubans was averaging nearly $4,500,000. It was stated that the debt of Cuba was greater than that of all other American countries. Also in Spain the situation was not promising, because out of 19,000,000 inhabitants, 8,727,519 were not engaged in business.[39]

Besides non-collected taxes and unemployment to bother the Spanish officials, the army was having its problems. In an editorial in April, it was quoted: "During the present revolution in Cuba, Spain has sent to the island 198,047 troops and 40 generals. The official record of deaths and casualty [*sic*] in the army is 22,731, and 22,000 went home invalided. It is doubtful if Weyler has at the present time 100,000 effectives for field and garrison duty.[40]

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37 *The Daily Oklahoman*, November 28, 1896, and December 9, 1896.

38 *Tecumseh Herald*, January 2, 1897.

39 *Phoenix*, January 28, 1897; and February 11, 1897.

40 *Ibid.*, April 8, 1897.

These statistics brought a new outcry for recognition of Cuba. To the dismay of the Oklahoma editors, Congress failed to act. "Congress appears to have lost interest in the Cuban matter, but the public has not. This is not the first time, however, that congress and the public have not agreed." President McKinley soon brought much discussion to himself by not declaring his position on the Cuban situation. The inaction on the part of the President and Congress was disliked. One editor wrote, "Nobody is likely to accuse President McKinley of going off half-cocked on the Cuban question. In fact, some men are expressing doubts whether he is going off at all."[41]

The Cuban League of the United States remained active in Oklahoma City during the year. Funds were collected and turned over to Benjamin J. Guerra, treasurer of the Cuban Junta. There was no indication from the papers in Indian Territory that the Cuban group was active in this territory.

The newspaper editors were interested in gaining independence and equality for the Cubans, but one editor was not interested in equality for all American people. The editor of *The Daily Oklahoman* who continually promoted the cause of annexation wrote, "Uncle Sam has discharged all of his Indian soldiers and will enlist no more. The Indian soldier is no good. What is the Indian good for anyway?"[42] This will give some indication why a twin territory existed at this time. This man seemed more interested in peace away from home than at home.

During the latter months of 1897 and the early months of 1898, there was talk of annexation. Again *The Daily Oklahoman's* editor seemed to be the most demanding. He stated that there was a want on the part of the Central American States for annexation, and he was in favor of this. In regard to Hawaii, he wrote, "Hawaii should be annexed but not until Cuba can be taken in with it." He closed his comments on March 18, 1898, by stating, "If Spain does not listen—look out for the Oklahoma militia."[43] This editor seemed to relate the mood of the times, because there was a demand on Congress to recognize Cuban independence. Again, recognition was not forthcoming.

Sending the battleship *Maine* to Cuba was hailed as a step in the right direction. "Why not send down the standing army and help a friendly nation in quieting an insurrection; a most worthy act just as an accompaniment to the contributions to the needy sufferers."[44] The sinking of the *Maine* brought very little attention. This disaster failed to make the front page in

41 *Tecumseh Herald*, January 29, 1897; and July 17, 1897.

42 *The Daily Oklahoman*, July 7, 1897; and August 1, 1897.

43 *Ibid.*, October 5, 1897; March 18, 1898.

most of the papers covered in this research, and surprisingly there was not a sudden demand for war with Spain.

Even though there was interest in the war, the editors did not demand it. A unique editorial appeared in the Perry paper. "One of the most unusual and at the same time patriotic statements we have observed since war fever began to rise is contained in the following dispatch: 'Waco, Texas, March 12—The bank presidents of this city, at a meeting tonight, resolved to lend money to the government for war purposes without interest.' "[45]

The editors waited until the completion of the *Maine* investigation before they began to demand war with Spain. They were for annexation of Cuba, and they had complete confidence in the military effectiveness of the United States. The de Lome letter and the sinking of the *Maine* did not stir editorial comment in either Oklahoma Territory or Indian Territory. Their opinion evidently was if the United States went to war "victory was inevitable."

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[44] *Tecumseh Herald*, March 24, 1898.

[45] *The Democrat-Patriot* (Perry, Oklahoma), January 28, 1898.

A STUDY OF PUBLIC OPINION ON DESEGREGATION IN OKLAHOMA HIGHER EDUCATION

*By Michelle Celarier**

Higher education in Oklahoma, which had been racially segregated since statehood, was challenged in 1946 when Ada Lois Sipuel, an honor graduate from Langston University, the state's all black school, applied for and was denied admission to the Oklahoma University School of Law. Although it was 1955—almost ten years later—before segregated practices in higher education were entirely abolished, the barriers were gradually being torn down.

Three United States Supreme Court decisions appear to be the precipitating factors in Oklahoma's desegregation of higher education. Two involved the University of Oklahoma and blacks who were trying to enter it at the graduate school level, and the other was the famous *Brown, et al* v. *Board of Education of Topeka, et al* case, which involved segregation at the elementary school level.

It is the purpose of this paper to look at these cases and the public reaction to them as evidenced by Oklahoma newspaper editorials, letters to newspaper editors, newspaper stories related to and stemming, from the court cases and two surveys made of student reaction—one at the University of Oklahoma and one at Oklahoma State University (then Oklahoma A.&M. College.) [1a] These findings are not at all conclusive. Editorials represent only the views of the editorial board of newspapers, and letters to editors usually come from extremists on both sides of an issue. Sometimes there was editorial silence on an issue.

The Sipuel case, decided by the U. S. Supreme Court January 12, 1948, was the first attack on the status quo segregated educational facilities in the state, and it appears to have received the most publicity, criticism and praise. Miss Sipuel, then 23, had applied to OU's law school in 1946 but was turned away because of the state constitution and statutes which es-

* This article is contributed by Michelle Celarier from her paper titled "Tearing Down the Barriers: A Study of Public Opinion on Desegregation in Oklahoma Higher Education," prepared in History 4183 (Track 1) under the instruction of Charles M. Dollar, Assistant Professor, Department of History, Oklahoma State University in 1969.

1a To get a cross-section of views on the subject, six different newspapers have been studied. They are *The Daily Oklahoman*, *The Tulsa Tribune*, *The Daily O'Collegian* (A&M student newspaper), *The Oklahoma Daily* (OU student newspaper), *The Norman Transcript* and *The Stillwater News-Press.*

tablished segregation on the "separate but equal" doctrine of the *Plessy* v. *Ferguson* U. S. Supreme Court case decided in 1896. Article XIII, Sec. 310 of the Oklahoma Constitution stated: "Separate schools for white and colored children with like accommodations shall be provided by the legislature and impartially maintained. The term 'colored children,' as used in this section, shall be construed to mean children of African descent. The term 'white children' shall include all other children."[1]

The statutes, passed by Oklahoma's first legislature, "proscribed heavy fines for any administrator or teacher who operated or taught classes where white and Negro races were mixed."[2] Oklahoma's blacks seeking higher education in state-supported institutions could attend Langston University, which offered only undergraduate work. As a result, Miss Sipuel could only receive a bachelor's degree. Her lawyers, one of whom was the present Supreme Court Justice Thurgood Marshall, argued that she was being denied the equal protection of the laws under the Fourteenth Amendment of the U. S. Constitution because she could not get all the public education she wanted. The Court agreed and said: "The petitioner is entitled to secure a legal education afforded by a state institution. To this time, it has been denied her although during the same period many white applicants have been afforded legal education by the state."

The court went on to say that the equal protection clause required a "state maintaining a law school for white students to provide legal education for a Negro applicant, and to do so as soon as it does for applicants of any other group."[3] This meant the state either had to admit Miss Sipuel, who was then Mrs. Fisher, or set up a "separate but equal" law school in the state. But the decision did not strike down the state's segregation statutes.

In order to comply with the decision, in addition to the state's segregation law, the State Supreme Court ordered the State Regents for Higher Education to set up a law school for Oklahoma's blacks.[4] At this time, *The Daily Oklahoman* reported that: The . . . decision in the Sipuel case raised perplexing issues for state officials, none of whom wanted the responsibility of saying a Negro should enter the university law school. State

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[1] Clinton Bunn and Charles Evans, *Oklahoma Civil Government* (Ardmore, Oklahoma: Bunn Brothers, 1908).

[2] Arrell M. Gibson, *Oklahoma: A History of Five Centuries* (Norman, Oklahoma: Harlow Publishing Co., 1965), p. 401.

[3] *Sipuel* v. *University of Oklahoma*, 332 U. S. 147 (1948).

[4] "State's Supreme Court Bars Mixed Classes at OU, Orders Separate Negro Law School," *The Daily Oklahoman*, Jan. 18, 1948, p. 1.

segregation laws [carried] stiff penalties for violation, and politicians said political dynamite [was] involved.[5]

A law school—the Langston University School of Law—was established, and three Oklahoma City attorneys were to be its faculty members. It was to offer the same courses as the Oklahoma University School of Law but no students were expected to enroll. However, a former managing editor of *The Daily Oklahoman,* a white man, applied to the school because he felt "it was time for people who have any guts on this racial prejudice to stand up and be counted." The School's dean denied him admission at first, but later said he could be admitted if he signed a statement that he had Negro blood.[6]

At this time, public opinion was divided on the admission of Mrs. Fisher. *The Daily Oklahoman,* which made no initial editorial comment but gave the subject extensive coverage, published three letters with an editor's note saying they had received many more, most of which favored her admittance. An alumnus of the University of Oklahoma wrote he was "disappointed" in Oklahoma's handling of the case. This letter, along with another, suggested that racial equality, which was "morally right," was inevitable, and it was time for Oklahomans to "wake up" to the fact. But a citizen opposing Mrs. Fisher's admittance wrote: "Ever since [she] has been making her fight to enter the University I have doubted her desire for a higher education . . . the only thing she cares about is to force her way into a school where Negroes have never gone."[7] Similar opinions were to be voiced later but were relatively uncommon so early in the controversy.

Letters in *The Tulsa Tribune* also favored Mrs. Fisher's admittance and criticized the state. A Stillwater minister, C. DeWitt Matthews, wrote "It has been amusing to me . . . to observe the dodges and subterfuges that have been used to avoid allowing qualified Negro students to enroll in our colleges."[8] *The Tribune* itself even supported the admission of blacks. It said "The number of these Negro applicants would be small . . . and in deportment and manner they would represent the best of the state's young Negroes. It is the only inexpensive way to do the job right."[9] This question of expense, here seemingly added as an afterthought, became more prevalent later.

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[5] *Ibid.*

[6] "OU Will Admit Negroes If State Gives Legal Okay," *The Norman Transcript,* Jan. 30, 1948, p. 1.

[7] "The People Speak," *The Daily Oklahoman,* Jan. 25, 1948, p. 6.

[8] "People's Forum," *The Tulsa Tribune,* Jan. 19, 1948, p. 17.

[9] "Two Years Lost," *The Tulsa Tribune,* Jan. 13, 1948, p. 22.

The smaller city papers—*The Norman Transcript* and *The Stillwater News-Press*—expressed more hostility to desegregation and the plight of Mrs. Fisher than others did at this time. As the fight wore on, *The Daily Oklahoman* and *The Tulsa Tribune* also moved in this direction. *The News-Press* was the most conservative on the subject. Apparently, its editorial writers felt segregation had been outlawed by the decision and therefore stated: "We've always been convinced that because Negroes are American citizens they are entitled to equal rights. However, in Oklahoma and other states it has been the practice to extend equal rights through separate school facilities. None will deny that the decision is unpopular and not in keeping with the way Oklahomans, all races considering, have been living."[10]

No other newspaper had come out and criticized the decision although they may have implied such feelings. Even *The Norman Transcript*, representing the town which was going to be affected most, refrained. An editorial about blacks living in Norman indicated middle-class misconceptions at their height. In defending the criticism that there was an "unwritten law" about blacks living in Norman, the paper said:[11]

> Practically all Norman residents know that little or no attention has been paid to such things since the Navy stationed Negro sailors here during the war. At this time, several Norman residents employ Negro domestic workers who live in their basements, and other Negro women who live in the nearby Stella neighborhood are employed by other families. From time to time, barber shops have had Negro shine boys who either lived with their wives in basements of homes here or commuted from Oklahoma City. While some . . . residents may still object to having Negroes here because of racial prejudice, we believe most of the objections . . . rest on practical considerations.

The Transcript went on to explain that a majority of people, even those favoring "equal education and economic opportunities" for blacks "would not want to live next door to them." The old stereotypes—maids and shoeshine boys—still prevailed.

While they and some other Oklahomans were opposing desegregation, many University of Oklahoma students were not. A survey of students, published on the day of the Supreme Court's decision, indicated that 43.6% favored the admittance of blacks at the graduate level. Only one-fifth thought they should be admitted at all levels. One-half (in line with the opposition) said they thought equal educational facilities should be provided for both graduates and undergraduates but at separate institutions. The survey, representing a cross-section of 500 students, provided some insight insofar as it categorized stu-

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10 "Supreme Court Decision," *The Stillwater News-Press*, Jan. 13, 1948, p. 7.

11 "Negroes in Norman," *The Norman Transcript*, Jan. 19, 1948, p. 4.

dents who were liberal on the subject. Law students (82%), men students (40%) and veterans (47%) favored admittance. Age also made a difference. While 67% of the graduates supported admission at the graduate level, only 30% of the freshmen did. In the colleges, arts and sciences proved the most liberal (48% for), and business administration was the most conservative (70% opposed).[12] Although not surprising, these findings do reinforce traditional groupings of liberal versus conservative students. One of the most interesting of these findings is the veteran versus non-veteran percentages, which may help support the thesis that World War II was instrumental in changing opinions. More references to World War II were found later on.

Although University students were not too liberal, *The Oklahoma Daily* editorial page was extremely so. This may indicate, if nothing else, that student editorial pages and student leaders do not reflect the opinions of a majority of students. Six editorials (four of them in a two-day span) supported Mrs. Fisher and greatly criticized the State for its stand. One of the most interesting editorial comments was that which contrasts and in a way refutes *The Norman Transcript* opinion stated earlier. The newspaper asked "When will we learn that we cannot sit on a growing race; cannot keep it forever in our kitchens, shoeshine shops and train depots?"[13] A certain amount of anger at state officials was also presented in the student newspaper. "They are attempting to solve Mrs. Fisher's case with the rushed-up law school in Oklahoma City. This is not what Negroes want, and the courts know it. . . . Eventually the state must choose between continued segregation and money for schools."[14]

The editors of the University newspaper were not the only ones angry at the State. The Legislature, especially, got a lot of criticism—but for an entirely opposite reason—from both *The Norman Transcript* and *The Daily Oklahoman.* Both admonished the Legislature for not setting up black graduate schools earlier, which would have avoided the whole controversy, they thought. *The Transcript* wrote that the possibility of setting up a black law school was discussed when Mrs. Fisher first filed her suit, and the regents made a "mistake" in failing to take action.[15] *The Daily Oklahoman,* which until this time had remained silent

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12 "Students at OU Equally Divided on Court Ruling," *The Daily Oklahoman,* Jan. 13, 1948, p. 20.

13 Editorials," *The Oklahoma Daily,* Jan. 13, 14, and 15, 1948, p. 2.

14 "What Cost Segregation?" *The Oklahoma Daily,* Jan. 28, 1948, p. 2.

15 "Future of Segregation Law," *The Norman Transcript,* Jan. 14, 1948, p. 4.

editorially, reported that they had urged the legislature years ago to set up a "first class law school at Langston" so equal education would be a reality.[16] Whatever validity these arguments may have had was discarded when the State later realized it did not have the money for such dual facilities.

A noticeable shift in public opinion and reaction occurred as the controversy wore on. After the black law school was set up, Mrs. Fisher, backed by her lawyers and the National Association for the Advancement of Colored People (NAACP), refused to attend. They argued that the Langston law school could not be equal to the Oklahoma University law school because of the latter's forty years of existence and tradition and also because segregated education was inherently unequal (as yet, this had not been decided by the U. S. Supreme Court). Vowing they would not stop until they struck down segregation completely, Mrs. Fisher and her advisers asked the courts to issue a writ of mandamus to force Oklahoma University to admit her, but the U. S. Supreme Court, in *Fisher* v. *Hurst,* et al, refused to do so. It stated that its original mandate had been followed.[17]

During this time, six more blacks seeking M.A. and Ph.D. degrees applied for admission to the University. They were not admitted because the state attorney general said the State's segregation laws prohibited their admission. Reaction to this denial was more pronounced than to the original case, on both sides. About four hundred student activists held a demonstration in protest of the University's policy. Wearing black armbands and singing "The Battle Hymn of the Republic," they burned a typewritten copy of the Fourteenth Amendment and sent the ashes to President Harry S. Truman. A comment by one of the leaders made the situation sound even more like the 1960's. He said, "The University is not a place to spend four years in absentia" and urged students to demand desegregation. The next morning, the other side held a rally of about the same size with an Oklahoma City businessman, Paul Haggard, as its principal speaker. One student, in the traditional vein of segregationists, proposed the following argument: "If I had to sit by Negroes, pretty soon there would be Negroes sitting by grade school kids. They would start running around together, then they would start dating, and that would lead to intermarriage. And that is wrong."[18] It is interesting to note that while this was happening,

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16 "That Justice Be Done," *The Daily Oklahoman,* Feb. 2, 1948, p. 6.

17 "Negroes Map New Test With Direct Challenge of College Segregation," *The Daily Oklahoman,* Feb. 17, 1948, p. 1.

18 "Fourteenth Amendment Cremated," *The Oklahoma Daily,* Jan. 30, 1948, p. 1.

The Daily Oklahoman reported that most Oklahoma University students were not concerned with the issue—professors reported a lack of discussion, and *The Oklahoma Daily* had received no letters.[19]

Such "agitation" by the blacks and the University students drew immediate reaction throughout the state. It was at this time that the cry for gradual change, law and order, and the fear of violence gained momentum. More opposition to desegregation was voiced. The newspapers studied had at least one editorial or letter condemning the action. An editorial in *The Daily Oklahoman,* "Shall All This Be Sacrificed," published the same day as the rally discussed the "progress" made in race relations throughout the years:[20]

> But now in 1948 all the good that has been accomplished in all these years of patient effort is being threatened to some extent by the intemperate courses of extremists in both races. [They] are demanding that patience and forbearance and good will be exchanged for force and direct action . . . let the courts decide the issues as they arise and let all law-loving people accept the decisions of the courts, whatever those decisions may be.

The State's governor, Roy Turner, also issued a statement, saying radicals were responsible for "stirring up people" and that "time and patience" were necessary for desegregation. This statement was highly praised by *The News-Press.* But it added the crowning touch with what has become almost a classical reference. "What Gov. Turner didn't say," *The News-Press* commented, "was that it is quite clear communists or those of that leaning are making a lot of trouble where none existed before."[21] Since this was the only reference to Communism found during the entire study, it may be important to note, if only for its uniqueness. Even *The Oklahoma Daily,* which always portrayed the most liberal views of all the papers, did not support the demonstrations. The editor, in his column, wrote that he did not like such meetings because they could lead to violence.[22]

The reaction, as has been noted, was not limited to the "agitation," although it may have in part been caused by it. There was growing concern over the aims of the blacks involved. *The Tulsa Tribune,* which up to this time had supported the efforts of Mrs. Fisher, said she and her advisers were "ruining the effect," and she was losing public sympathy. Her search for

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19 "Sooners Not Boiling Over Issue," *The Daily Oklahoman,* Jan. 30, 1948, p. 1.

20 "Shall All This Be Sacrificed," *The Daily Oklahoman,* Jan 31, 1948, p. 4.

21 "Governor Reports the Facts," *The Stillwater News-Press,* Feb. 5, 1948, p. 12.

22 "Cop's Beat," *The Oklahoma Daily,* Jan. 31, 1948, p. 2.

knowledge, it felt, was being forgotten by the NAACP leaders.[23] It appears that Oklahomans were beginning to realize their segregated facilities in education were doomed, partially because of the association's efforts. In what it must have considered an indictment of the NAACP, *The Norman Transcript* wrote: "Refusal of officials of the NAACP to accept a separate law school for Negroes, regardless of whether its standards and facilities are substantially equal to those of the University law school, makes it clear that the real objective of the association is to break down segregation laws in Oklahoma rather than to obtain a good law education for Mrs. Ada Lois Sipuel."[24]

Because of the above two factors—demonstrations and black "militancy"—desegregation began to receive more criticism, which perhaps had been there before but had not been voiced. Letters to editors, while still representing both sides, began to show a conservative trend. In *The Daily Oklahoman* one letter stated: "I am all for them [blacks] having their own separate colleges but with . . . equal facilities. They need it and desire it, but, wouldn't it just break your heart to see one of your grandchildren with an entirely different color skin from your own? I'm afraid that's what it would come to."[25] This fear and the "separate but equal" theory were to remain prominent throughout the almost ten years of gradual desegregation.

In defense of the theory, another letter, this one to *The Oklahoma Daily,* stated: "In Oklahoma, our segregation laws are probably the most important set of legislated laws ever made to govern the regularity of the development of the Negro race. They allow the Negro to become educated, so he in turn can teach others of his race."[26] Letters in other newspapers expressed similar views, mainly that segregation did not indicate a denial of "equal education." At the same time, supporters of segregation were still heard, and they were using the same arguments as before.

Regardless of the reaction to desegregation, state officials realized something was going to have to be done for blacks seeking post-graduate education. On February 11, about two weeks after the six blacks had applied, the State Regents for Higher Education appointed a commission composed of six deans—three from the University of Oklahoma and three from Oklahoma A. & M. College—and the regents' chancellor, Dr. M. A.

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23 "Segregation is Main Issue," *The Norman Transcript*, Jan. 21, 1948, p. 4.

24 *Ibid.*

25 "The People Speak," *The Daily Oklahoman*, Feb. 1, 1948, p. 14A.

26 "Oklahoma Not Prepared for Abolition of Segregation, Reader Writes," *The Oklahoma Daily*, Feb. 3, 1948, p. 2.

Nash, to study the situation. They had five options—assign all the functions to Langston; assign them to the University of Oklahoma or a branch; do the same for Oklahoma A. & M.; do the same for both University and A. & M.; or do it for all three institutions.[27] Later, in view of faculty recruitment and expense, the commission suggested qualified black applicants be admitted for graduate work in white schools.[28]

Oklahoma's next confrontation came from George W. McLaurin, a man fifty-four years old who had received his master's degree at Kansas University and was one of the six blacks who had applied for admission to the University of Oklahoma in January of 1948. He tried again in September of that year to enter the University of Oklahoma to get a Ph.D. in Education. After he was denied admission, a three-man federal district court declared Oklahoma's statutes unconstitutional and not enforceable insofar as they applied to him. The district court, hoping that the law would be amended, did not order the University to admit McLaurin. There was some consideration of a special session of the state legislature, but the University Board of Regents ordered McLaurin admitted on a segregated basis before the session was called. It was a last attempt to save segregation, even though it was a meager one. A public statement released by Governor Turner, October 12, 1948, perhaps best exemplifies this last feeble effort. It said: "The governor, attorney general and the state regents for higher education deem the action taken by the University of Oklahoma board of regents necessary to comply with the law as established by the three-judge court in the McLaurin case, and to meet the threatened application for a compulsory process, as constitutes the only course that could be taken and still preserve segregation."[29]

Less than a week later, McLaurin was admitted. His quasi-segregation included a special table in the cafeteria and library and a seat apart from the rest of his classmates while in the classroom. Reaction to McLaurin's situation was considerably less intense than to the Sipuel crisis, probably because many Oklahomans—like the State officials—were beginning to see that desegregation was inevitable. In fact, the only opposition to what now seems an absurd condition was found in the two student newspapers. In *The Daily O'Collegian,* a letter from an exchange student from India voiced the only protest. He wrote: "I think it is a dark stigma and a vicious slur on American democracy that

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27 "Deans to Study Negro Education" *The Daily O'Collegian,* Feb. 14, 1948, p. 1.

28 Arrell M. Gibson, *Oklahoma: A History of Five Centuries,* p. 402.

29 "Negro Must Be Admitted to University of Oklahoma at Once, Regents Declare," *The Daily Oklahoman,* Oct. 12, 1948, p. 1.

claims to lead the world through the maze of communism, dictatorship and imperialism."[30]

Perhaps it was easier for a dark-skinned non-American—one from a country in which there was a definite caste system—to see an inequity in the American system. In *The Oklahoma Daily*, this same concern for "democracy" was displayed in its editorials, while letters represented both sides of the issue. In a reference to World War II, *The Daily* stated: "Americans white and black fought two wars to protect their constitutional rights. Yet we in the south are unwilling to grant Americans of the 'wrong color' the full rights to which they are entitled . . . [as] American citizens."[31] Most of the letters either considered the segregation "shameful" or thought it necessary to eliminate "friction" between the races. However, a letter about "nigger lovers" brought an avalanche of letters of angry condemnations.[32]

Of the city newspapers, *The Norman Transcript* and *The Tulsa Tribune* favored the Regents' decision. *The Tulsa Tribune* agreed with the decision to segregate McLaurin and hoped he wouldn't object because "the experiment to which he submitted himself [held] much hope." This paper thought people would eventually realize the stupidity of segregated classrooms and other facilities since a gradual process of desegregation seemed to be all that Oklahomans could accept.[33]

The Norman Transcript seemed to reinforce this idea: "Social reformers probably would just let down the bars altogether and have mixed classes, but the lack of a statewide demand for repeal indicates that the public as a whole probably desires to retain segregation." The Transcript went on to say there seemed to be no harm in racially mixed classes at the graduate level because: "We believe persons of the ages who would be enrolled could mingle freely without racial feeling and without development of a tendency for mixed marriages, which, after all, is the basic objection to free mingling of whites and Negroes."[34]

Although some may have been willing to accept desegregation, those two main factors—the necessity of gradual change and the fear of interracial marriage—were still present. After McLaurin was enrolled, he did not stop his litigation. In August,

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30 "Letters to the Editor," *The Daily O'Collegian*, Oct. 2, 1948, p. 2.

31 "Segregation vs. Democracy," *The Oklahoma Daily*, Oct. 8, 1948, p. 2.

32 "Wednesday Morning's Mail," *The Oklahoma Daily*, Nov. 24, 1948, p. 2.

33 "Let's Start on the Basis," *The Tulsa Tribune*, Oct. 8, 1948, p. 52.

34 "Negro Ban Must Be Lifted," *The Norman Transcript*, Oct. 1, 1948, p. 4.

1950, his case came up before the U. S. Supreme Court, which in a unanimous opinion stated: "Negro students must receive the same treatment by the state as students of other races. . . . The state sets him apart, and the result is that the appellant is handicapped in his pursuit of effective instruction."[35] From then on, blacks (there were about twenty-five enrolled at the time) were to be given the same treatment as whites.[36] However, the state was only obligated to admit those seeking education they could not receive at black schools.

Public opinion on this epoch-making case—one of the most important U. S. Supreme Court cases regarding segregation—was either stifled by the papers or almost non-existent. In either case, it seems strange there was so little said about it. The only one of the newspapers studied which made an editorial comment was *The Norman Transcript.* The lack of student reaction may be partially explained by the time of the decision. It was rendered in early June, during the break between spring and summer semesters at both the University and A. & M. College. Neither *The Daily Oklahoman* nor *The Tulsa Tribune* commented on the subject. One can only speculate, but perhaps it was because they did not want to make an issue of the case. They saw it coming, decided to accept it and felt the less said the better. This idea is reinforced by the editorial in *The Norman Transcript* two days after McLaurin's case was decided. "Oklahoma people had just as well become reconciled to it," *The Transcript* commented, and put the court's ruling into effect "without resentment or friction" so "harmonious race relations will in no way be impaired." But it added, "It would have been better if the situation could be brought about by education and application of the Golden Rule."[37] Apparently, the paper felt desegregation would have been accomplished eventually even if blacks had not fought through the courts for admission to Oklahoma's institutions of higher education.

It appears that total desegregation in Oklahoma higher education would have been more prolonged had it not been for the *Brown, et al* v. *Board of Education of Topeka, et al,* U. S. Supreme Court decision of May 17, 1954. This case involved the constitutionality of segregation laws, not only in higher education, but in elementary and secondary education as well. Because of "nontangible" factors, the Court ruled that "separate educational facilities are inherently unequal . . . [and] such

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[35] *McLaurin* v. *Oklahoma State Regents for Higher Education,* Vol. 339 U. S. Stat., p. 637 (1950).

[36] "OU Segregation Illegal, U. S. Supreme Court Rules," *The Norman Transcript,* June 5, 1950, p. 1.

[37] "Segregation on Way Out," *The Norman Transcript,* June 7, 1950, p. 4.

segregation is a denial of the equal protection of the laws." Nothing was done in regard to Oklahoma higher education at that time, but when the Court, in its second Brown decision a year later, ordered all public schools to "make a prompt and reasonable start toward full compliance with our May 17, 1954 ruling,"[38] the State Regents for Higher Education made an effort to do just that.

To head off probable lawsuits and comply with the decision, the Regents on June 6 ordered that the University and A. & M. College and fifteen state-supported colleges extend desegregation to the undergraduate level by September of that year (1955). In a statement backing the Regents, Oklahoma Governor Raymond Gary said, "The Supreme Court has rendered the decision and handed down a mandate. I don't know of anything else the Board of Regents could have done." But the one regent who voted against the measure defended his action—on the theory of gradual change. "I don't like to throw this thing on them as a sudden shock," he said.[39]

As in the McLaurin case, little reaction to the court's decision—at least in relation to Oklahoma higher education—was found. Acceptance is probably the best way to describe what public opinion there was. When the 1954 Brown decision was rendered, *The Daily Oklahoman* reported it had confidence that the problem [would] be solved in a peaceful manner." It based its comment on an interpretation of the history of desegregation in higher education in the state. *The Oklahoman* said:[40]

When the regents "abolished" segregation a year later, opinion was still negligible. *The Daily Oklahoman* expressed the fear that this would present another problem—unemployment of black teachers and a dim future for Langston, but that was all.[41] The only other newspaper to comment was *The Daily O'Collegian*, which had previously said very little about the desegregation controversy. In March, 1948, an editorial supporting desegregation

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38 Wallace Mendelson, *The Constitution and the Supreme Court* (2nd ed.; New York: Dodd, Mead & Company, 1968), p. 522-527.

39 "Segregation is Abolished In All Universities, Colleges Supported by State Funds," *The Daily Oklahoman*, June 7, 1955, p. 1.

40 "The Law is the Law," *The Daily Oklahoman*, May 19, 1954, p. 18.

Segregation in our Oklahoma institutions of higher learning was abolished years ago by a supreme court decision. That decision was preceded and accompanied by certain dire predictions of trouble. But none of these predictions were fulfilled. Negroes entered the state university, but the heavens didn't fall. No racial trouble has ever been reported. Interested parties quietly adjusted themselves to the new conditions without disturbance—not even a minor one.

41 "Is This Another Problem?" *The Daily Oklahoman*, June 9, 1955, p. 18.

at the graduate level for financial reasons, had appeared, but there had been little else.[42]

After the Regents' ruling, *The O'Collegian* reported there would be no great change in policy at Oklahoma A. & M. College. "We didn't have segregation in the first place," one official said, adding that four undergraduates were enrolled the year before and two had attended the college before that. But these were only students who were not able to get their desired instruction at Langston. Commenting on the situation, *The O'Collegian* said:[43]

> They [blacks] have lived in the same dormitories [not the same rooms] with white students, and have eaten in the usual dining halls and the Student Union cafeteria with them . . . As Negroes began to appear in the classrooms, no repercussions were heard . . . These days there is no logical argument for segregation. The problem is just how to get rid of it . . . In integration, A&M already has a head start. Most of us are well aware that the color of a person's skin doesn't have much to do with how well he can write a theme, run a chemistry lab experiment, or fight his way through a final exam.

A few weeks later, a statistically valid survey of the student body, conducted by a psychology professor at the University, seemed to reinforce this acceptance of desegregation even though it may have been only token. Ninety per cent said they would accept blacks in the classroom; only 10% said they would rebel if taught by a black instructor. Although the students were willing to accept blacks in the classroom, student government, athletics, professional clubs and eating places, the pattern changed to non-acceptance in "areas of campus life requiring more intimate interaction"—in residences, 60% said no; social groups, 59% no; dances, 56% no. Men students, especially veterans—the same group as was found to be considerably more liberal at the University of Oklahoma over five years earlier—were more receptive to desegregation. The survey concluded that there was a pattern of non-acceptance in certain areas, "But not of the 'Deep South' variety." About 40% felt segregation should be eliminated immediately and about 75% felt the Supreme Court had handled the case fairly well.[44]

During the almost ten years of desegregation in higher education in Oklahoma, some dominant themes in public opinion presented themselves. The cry for "equal opportunity" for blacks was heard from both segregationists and de-

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[42] "Separate Negro Schools Cost More," *The Daily O'Collegian*, March 9, 1948, p. 2.

[43] "Desegregation Will Cause No Problem for A&M; Negro is Established," *The Daily O'Collegian*, June 14, 1955, p. 2.

[44] "Few Aggies Like 'Deep South' Idea of Public School Abolition," *The Daily O'Collegian*, July 1, 1955, p. 1.

segregationists. However, the segregationists, claiming they were not prejudiced, felt education could be equal if separate. It appears their real reason for wanting to keep the races separate was the fear of racial intermarriage; "equality" was an afterthought. Even in the 1955 student survey, social contact, which might lead to intermarriage, was not accepted by the majority. The desegregationists, too, wanted equal educational opportunities for blacks. They wanted it to be real, and felt this could best be achieved by incorporating blacks into white institutions. More than that, they felt any separation of the races was morally indefensible in the United States. A nation which engaged in wars to preserve democracy, equality and freedom for all peoples of the world, was hypocritical if it did not even provide these things at home. Americans had just won World War II, in which they had found racism in Germany to be repulsive, and this may have also influenced public opinion and helped the blacks' cause. Even so, there was much talk, by both sides, of the necessity of gradual change—"patience and forbearance," "time and patience,"—and a fear of direct "action" by radical agitators. Perhaps this was done only in sincere defense of the preservation of our educational institutions and harmonious race relations (i.e., by evolution, not revolution), would prejudiced whites learn tolerance. It could also be interpreted as an attempt to maintain the status quo, which Oklahoma did as long as possible.

There was no pioneering by either the majority of citizens or the legislature to do away with the state's antiquated segregation laws until a combination of court orders and strained finances for higher education forced the State to do so. When those factors finally caused the death of segregation, the majority of Oklahomans accepted it. There seemed to be a general feeling of obedience to the law, whatever it was. This, of course, did not mean all Oklahomans had overcome their prejudices towards Negroes. As was noted in the survey made in 1955, there was still a "pattern of non-acceptance." A few of the barriers had been torn down, but many remained.

OKLAHOMA: A RESETTLEMENT AREA FOR INDIANS

By Duane Gage

When Europeans first arrived in America the area of present Oklahoma was sparsely inhabited by bands of semi-sedentary Athapascan, Caddo, and Wichita Indians. Ultimately Indians from sixty-seven tribes found homes in the Sooner State.[1] Specifically why did Oklahoma become the home for this great number of tribes? A combination of factors, including national politics, misleading geographic reports, racial prejudice, land greed, accessibility, and the presence of fierce plains tribes, affected Oklahoma's destiny.

Throughout the colonial period in American history white settlers appropriated eastern Indian lands, and, although the line of permanent white settlement during colonial times hardly reached beyond any point west of the Mississippi River, western tribes were already feeling the impact of white civilization. The introduction of firearms into certain eastern Algonquin tribes by French fur traders in the seventeenth century resulted in the westward migration of less powerful groups. For example, the Cheyenne tribe originally lived in Minnesota, but were pushed into western South Dakota by the Assiniboine Sioux, who were themselves fleeing from the Chippewa, then already in possession of guns.[2] The Cheyenne in turn displaced the Kiowa, who migrated south and gained control of the upper Red River area, including most of western Oklahoma.[3]

The acquisition of horses from Spanish settlements in New Spain also influenced tribal migrations. For example, the Comanche tribe, driven from southern Wyoming by the Sioux, secured horses and moved into the southwestern plains to hunt buffalo. The Comanche pushed aside weaker tribes with whom they came in contact, and, about 1795, after many years of fighting the Kiowa—who had also acquired horses—the two tribes reached a peace agreement.[4] The Kiowa and Comanche remained in and near western Oklahoma primarily because it was the most attractive buffalo-hunting area left available to them. Once there they constituted a barrier to early occupation

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1 Muriel H. Wright, *A Guide to the Indian Tribes of Oklahoma* (Norman: 1951), p. ix.

2 Frederick Webb Hodge, editor, "Handbook of American Indians North of Mexico," *Bulletin 30*, Smithsonian Institution, Bureau of American Ethnology, 2 vols. (New York: 1907), Vol. I, p. 251.

3 Wright, *op. cit.*, pp. 169-170.

4 Hodge, *op. cit.*, p. 327.

of the southwest by both whites and migrating tribes from the east.

Eastern Oklahoma likewise was an attractive hunting ground for bands of Choctaw, Cherokee, and other southeastern tribes who made periodic excursions west of the Mississippi River.[5] In 1721 a French expedition found eastern Oklahoma to be "a very beautiful country, fertile plains, vast prairies covered with buffalo, stags, does, deer, turtles, etc."[6] In 1802, rivalry between French and Spanish trading interests in the valleys of the Missouri River and its tributaries prompted a large part of the Osage Indians to move their permanent villages from Missouri into more lucrative hunting lands in northeastern Oklahoma.[7] At the time of the Louisiana Purchase in 1803, the Osage claimed all of Oklahoma north of the Canadian River as tribal hunting grounds. Thus the migration of nonindigenous tribes to Oklahoma before it became part of the United States can be explained in terms of the area attracting them because of its abundance of game.

In 1803, when the Jefferson administration negotiated with France for Louisiana, President Jefferson's main objective was to secure United States control of the Mississippi River. When his ministers returned home with a treaty purchasing all of the vague, vast area between the Mississippi and the Rocky Mountains—including Oklahoma—Jefferson set about to validate the purchase. In July, 1803, he drafted a proposed constitutional amendment which, had it been adopted, would have confirmed "the right of occupancy in the soil, and of self-government" to the Indian inhabitants therein. The same amendment would have authorized the federal legislature to remove Indians east of the Mississippi by exchanging their lands for unoccupied lands in the upper Louisiana Territory.[8] Jefferson's advocacy of Indian removal reflected the obligation put upon his administration by the Georgia Compact of 1802, an agreement in which the state of Georgia ceded her claim to western lands in exchange for a payment of $1,250,000 and a promise that the United States would extinguish the Indian title to all lands within Georgia "as early as the same can be peaceably obtained." In order to secure a land settlement with Georgia, which wanted no Indians within its borders, the United States thus acquired an

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[5] Wright, *op. cit.*, p. 60, p. 103.

[6] M. Butol-Dumont, "Historical Memoirs of Louisiana," *Historical Collections of Louisiana*, translated by Benjamin Franklin French, 5 vols. (New York: 1853), Vol. V, p. 36.

[7] Donald Jackson, editor, *The Journals of Zebulon Montgomery Pike*, 2 vols. (Norman: 1966), Vol. II, p. 32.

[8] Paul Leicester Ford, editor, *The Writings of Thomas Jefferson*, 10 vols. (New York: 1892), Vol. VIII, pp. 241-249.

official policy of transplanting Indians into the west.[9]

The congressional debates on the Louisiana Treaty included comments on the merits of the removal policy. Administration critics argued that the suggestion to remove Indians from the eastern to the western banks of the Mississippi was "impracticable . . . The inducements will be so strong that it will be impossible to restrain our citizens from crossing the river."[10] Congressional supporters of the administration, on the other hand, argued that the acquisition of the country west of the Mississippi would remove the cause of Indian wars; the southern tribes, "now hemmed in on every side, . . . want a wider field for the chase, and Louisiana presents it."[11]

Apparently Congress did not discuss specifically where in unexplored Louisiana the southern tribes should be resettled. Knowledge of the region was confined largely to travelers' observations of the land along the Mississippi. Jefferson himself seems to have had the impression that the newly acquired territory was "not inferior to the old" in soil, climate, and productive capability.[12] Yet he admitted that "our information as to the country is very incomplete."[13] Even before the Louisiana Purchase was ratified, the President sent his private secretary, Meriwether Lewis, to lead an expedition from St. Louis to the headwaters of the Missouri River, then on to the Pacific. Jefferson instructed Lewis to "inquire into the nature of the country and the nations inhabiting it."[14] In the summer of 1804, Jefferson sent William Dunbar of Natchez, a practical scientist of some note, on a similar exploration of the Red River to its source. Unfortunately the Dunbar expedition was threatened by Spaniards in Texas, and did not leave present-day Louisiana. Nevertheless, Dunbar gathered reports from well-traveled Indian traders, and described the western prairies:[15]

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[9] "Public Lands," *American State Papers*, 38 vols. (Washington: 1832), Vol. XXVIII, pp. 125-126.

[10] *Annals of Congress*, 8th Congress, 1st Session, 1803-1804, pp. 33-34.

[11] *Ibid.*, pp. 41, 440.

[12] Thomas Jefferson to General Gates, letter dated July 11, 1803, in *The Writings of Thomas Jefferson*, edited by H. A. Washington, 9 vols. (Washington: 1854), Vol. IV, p. 494.

[13] Thomas Jefferson to John Breckenridge, letter dated August 12, 1803, *Ibid.*, p. 498.

[14] Thomas Jefferson to Captain Meriwether Lewis, letter dated January 22, 1804, *ibid.*, p. 522.

[15] William Dunbar, "The Exploration of the Red, the Black, and the Washita Rivers," *Documents Relating to the Exploration of Louisiana* (Boston: 1904), pp. 159-160.

> The whole of those prairies is represented to be composed of the richest and most fertile soil . . . Should it be found that of this rich and desirable country there are 500 miles square, and from report, there is probably much more, the whole of it being cultivable, it will admit of the fullest population, and will at a future day vie with the best cultivated & most populous countries on the globe.

Had Dunbar's ebullient report been given wide circulation it perhaps would have stemmed the rising tide of eastern opinion that the western plains were suitable only for Indians. In September, 1806, Lewis returned from his expedition reporting that the northern plains contained numerous dry stream beds; the soil was of little value because of the lack of water. Later, in 1806, Zebulon Montgomery Pike, a young army officer, explored the southwestern plains between the Arkansas and Red rivers. Pike's account, which Americans read with keen interest when it was published in 1810, told of the barren, parched soil of the western plains: "These vast plains . . . may become in time equally celebrated as the sandy desarts [*sic*] of Africa; for I saw in my route, in various places, tracts of many leagues, where the wind had thrown up the sand, . . . and on which not a speck of vegetable matter existed."[16]

Pike suggested that the western plains should be left to "the wandering and uncivilized aborigines of the country." Henry Marie Brackenridge, a young attorney traveling with a group of fur traders in 1811, likewise reported that the western regions of Louisiana were not suitable for cultivation. Published in 1814, Brackenridge's journal strengthened the growing notion that the western plains was a Great American Desert. "The natives will probably remain in quiet and undisturbed possession, for at least a century," he predicted.[17]

Brackenridge's prediction was, of course, inaccurate, for already the federal government had taken steps to prepare Louisiana for white settlement. An act of Congress on March 26, 1804, separated the area of present-day Louisiana from the rest of the purchased territory, established territorial governments for the two areas, and authorized the President to make treaties removing eastern tribes to lands west of the Mississippi.[18] Meanwhile, some voluntary Indian migration already had occurred, for on November 14, 1803, President Jefferson informed Congress that "a scarcity of game on the eastern side of the Mississippi has lately induced a number of Cherokees, Choctaws, Chick-

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16 Jackson, *op. cit.*, pp. 27-28.

17 Henry Marie Brackenridge, "Journal of a Voyage Up the River Missouri," *Early Western Travels*, 1748-1846, edited by Reuben Gold Thwaites, 32 vols. (Cleveland: 1904), Vol. VI, pp. 160-161.

18 *U.S. Statutes at Large*, 8th Congress, 1st Session, 1803-1804, Vol. II, pp. 283-289.

asaws, &c., to frequent the neighborhood of Arkansas, where game is still in abundance; they . . . seem inclined to make a permanent settlement."[19]

On March 7, 1805, Jefferson suggested to a delegation of Chickasaw Indians that they consider trading their Mississippi lands for unoccupied lands in Louisiana.[20] A few months later he likewise suggested to chiefs of the Cherokee nation that they encourage their young men, who had been crossing the Mississippi to make war, to go and live peaceably with Cherokee who already had settled there.[21] In 1808 the federal government, capitalizing on a factional dispute within the Osage nation, persuaded leaders in that tribe to cede their lands in northern Arkansas to the government because the land was needed for "white hunters" and friendly Indians.[22] Although no definite tract of territory was assigned to them, in 1809 "large parties" of Cherokee settled on the most accessible lands along the Arkansas and White Rivers.[23] Jefferson cautioned them that the higher up the rivers they settled, the better, since white settlements "will begin at the mouths of those rivers."[24]

Jefferson's statement indicated that no well-formulated policy concerning Indian removal existed, and that inevitably Arkansas would be populated by white settlers. By 1810, there were 1,062 white citizens residing in Arkansas, and already the Indian immigrants were caught in a vise between white civilization and the fierce tribes of the plains.[25] At that time, territory in Arkansas was considered still a part of the vast Louisiana Territory.

Northern portions of Louisiana Territory also received groups of migrating Indians during Jefferson's administration.

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19 *Annals of Congress*, 8th Congress, 2nd Session, 1804-1805, pp. 1511-1512.

20 Thomas Jefferson to the Chiefs of the Chickasaw Nation, letter dated March 7, 1805, in *The Complete Jefferson: Containing His Major Writings, Published and Unpublished*, compiled by Saul K. Padover (New York: 1943), p. 472.

21 Thomas Jefferson to the Chiefs of the Cherokee Nation, letter dated January 10, 1806, *ibid.*, p. 479.

22 "Indian Affairs," *American State Papers*, Vol. VII, pp. 765-766; Charles J. Kappler, editor, *Indian Affairs: Laws and Treaties*, 5 vols. (Washington: 1904), Vol. II, pp. 95-99.

23 Alexander J. Dallas to Colonel Return Johnthan Meigs, November 1, 1809, Letters sent by the Secretary of War, *Indian Office Record Books*, National Archives.

24 Thomas Jefferson to the Deputies of the Cherokees of the Upper and Lower Towns, letter dated January 9, 1809, Padover, *op. cit.*, pp. 506-507.

25 *Historical Statistics of the United States, Colonial Times to 1957*, U. S. Department of Commerce, Bureau of the Census (Washington: 1960), p. 13.

Beginning in 1803, William Henry Harrison, territorial governor of Indiana, negotiated a series of treaties with the Shawnee, Delaware, Kickapoo, and other northern tribes, removing them westward in advance of the line of white settlement. In most instances the resettlement area for the displaced tribes was simply the most accessible unoccupied area directly to the west, although several roving bands of Shawnee and Delaware voluntarily migrated into the southwest as far as the Red River.[26] These early Shawnee and Delaware immigrants established scattered settlements and carried on trade up to the time of the "Civil War," with the plains tribes of western Oklahoma who rarely ventured east beyond the Cross Timbers, a thick forest of blackjack and post oak which divided the timbered areas of eastern Oklahoma and the western plains. In general, the removal program was poorly co-ordinated; tribal territorial claims in the northwest were difficult to determine; and white families often squatted on treaty-assigned Indian lands before the tribes could complete their removal.[27]

In President James Madison's administration, during which many of the tribes fought against the United States in the War of 1812, the government's interest in Indian removal steadily declined. Madison preferred a gradual migration of small groups of Indians while the federal government acquired Indian territory through humanitarian means.[28] Meanwhile, white migration into Louisiana Territory continued and the Federal government took steps to assure organized government for the settlers. In 1812, when the state of Louisiana entered the Union, the remainder of Louisiana Territory was reorganized as Missouri Territory.[29]

In 1819, preparatory to Missouri statehood, Arkansas Territory was created to include not only present Arkansas but also the land south of the line 36°30' north latitude and west to

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26 "Indian Affairs," *American State Papers*, Vol. VII, pp. 688-704; pp. 761-762; Grant Foreman, *The Last Trek of the Indians* (Chicago: 1946), p. 34; Wright, *op. cit.*, p. 150, p. 242.

27 Annie Heloise Abel, "The History of Events Resulting in Indian Consolidation West of the Mississippi," *Annual Report of the American Historical Association*, 1906, Vol. I, pp. 256-257; (Old Shawneetown is a community about 3 miles southwest of Idabel in McCurtain County, settled by Shawnee Indians around 1808. Their plowed fields, fences, and log houses were purchased by the noted Choctaw, Robert M. Jones, in the 1830's, and operated as a large plantation here for many years before the Civil War.—Ed.)

28 The Secretary of War to Silas Dinsmoor, letter dated April 20, 1811, in "The Territory of Mississippi, 1809-1817," Vol. VI of *The Territorial* Papers of the United States, edited by Clarence Edwin Carter (Washington: 1957), pp. 191-192.

29 *Annals of Congress*, 12th Congress, 1st Session, 1812, p. 2310.

100° west longitude, the international boundary between the United States and Spanish territory. Congressional debates on the Arkansas territorial bill reflected the general lack of knowledge concerning the different kinds of population in the territory and the location and condition of existing settlements.[30] The following year an expedition led by Major Stephen H. Long, of the United States Corps of Topographical Engineers, set out to explore the Red River from its upper sources. Long, who mistook the Canadian River for the Red, reported that the trans-Mississippi country was almost wholly unfit for cultivation. "The want of timber, of navigable streams, and of water for the necessities of life, render it an unfit residence for any but a nomad population," declared Edwin James, botanist and geologist to the expedition.[31] The official map of the Long expedition labeled the entire plains region — including Oklahoma — the "Great Desert." Cartographers copied it for half a century.[32]

Desert or not, Oklahoma likely would have remained a part of Arkansas had not the question of establishing a permanent Indian frontier become a pressing issue. During the peace negotiations ending the War of 1812, the British government advanced the idea that a buffer Indian state should be erected in the northwest, to serve as a barrier between the United States and Canada. The United States rejected the buffer state idea, however, and even before the war ended, took vigorous measures to effect the removal of all tribes to the trans-Mississippi west. On August 9, 1814, following the decisive defeat of hostile Creek forces at the Battle of Horseshoe Bend in Mississippi Territory, Major General Andrew Jackson forced some of the Creek chiefs to cede all their lands in southern Georgia as payment for war expenses.[33] This cession, involving not only lands claimed by the Creek but also lands belonging to the Cherokee, became the first step in the systematic removal of the Five Civilized Tribes.

On September 12, 1816, Madison's Secretary of War, William H. Crawford, suggested that Jefferson's old proposal of exchanging lands be contemplated.[34] At that time many individuals in the Cherokee nation expressed a desire to exchange their lands in Georgia and Mississippi Territory for lands in the vicinity of the White River in Arkansas.[35] In October, 1816, Indian Com-

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30 *Ibid.*, 15th Congress, 2nd Session, 1819, p. 1222, p. 2502.

31 Edwin James, editor, "Stephen H. Long's Expedition," *Early Western Travels*, edited by Thwaites, Vol. XIV, p. 20.

32 Ray Allen Billington, *Westward Expansion: A History of the American Frontier*, 2nd ed. (New York: 1960), p. 452.

33 "Foreign Affairs," *American State Papers*, Vol. III, pp. 715-717; Kappler, *op. cit.*, pp. 107-110.

34 "Indian Affairs," *American State Papers*, Vol. VIII, p. 104.

35 Abel, *op. cit.*, p. 281.

missioner Andrew Jackson optimistically reported that "the Cherokees . . . will make a tender of their whole territory to the United States, for lands on the Arkansas." Jackson overestimated the Cherokee's disposition to remove; sentiment in the tribe was divided on the matter. Nevertheless, on July 8, 1817, a delegation of Cherokee chiefs signed a treaty exchanging about one-third of the tribal lands in the east for title to the tract already occupied by Western Cherokee in Arkansas between the White and Arkansas rivers.[36] Under the terms of the 1817 treaty possibly 4,000 Cherokees moved to Arkansas, where they found themselves soon at war with Osage hunting parties who claimed lands along the Arkansas as their hunting range.[37]

During the final weeks of Madison's administration, the Senate Committee on the Public Lands urged that an appropriation be made to enable the President to negotiate Indian treaties which would exchange "territory owned by any tribe residing east of the Mississippi for other land west of that river." This effort to develop a well-defined removal policy failed, however, because the House did not pass an appropriation bill. Meanwhile Indian commissioners negotiating with the southern tribes found little enthusiasm for removal to the west. "They new [*sic*] nothing about that country," Andrew Jackson reported, "and as they have not been there they would have nothing to do with it."[38]

In the early years of President James Monroe's administration the advance of white settlement into the trans-Mississippi West overshadowed the Indian removal question, and in 1819 the removal program became submerged beneath a congressional controversy over the extension of slavery. In 1819 the citizens of Missouri asked Congress to admit them into the Union as a slave state. Almost immediately the Missouri statehood bill developed into an intemperate debate over the future of slavery in the West. Both opponents and advocates of slavery extension described the area in question as a widespread fertile region one day to be inhabited by millions. When finally the Missouri controversy was settled by an agreement prohibiting slavery in the Louisiana Purchase north of 36°30', except for Missouri, Arkansas Territory with present-day Oklahoma was left open to slaveholders. The debates had not mentioned the reports that an

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[36] "Indian Affairs," *American State Papers*, Vol. VIII, pp. 107-108; Kappler, *op. cit.*, pp. 140-144.

[37] Thomas Nuttall, "A Journal of Travels into the Arkansas Territory, 1819," *Early Western Travels*, edited by Thwaites, Vol. XIII, pp. 191-192.

[38] "Indian Affairs," *American State Papers*, Vol. VIII, pp. 123-124; *Journal of the Negotiation for Treaty with Chickasaws*, October 18, 1818, Andrew Jackson Papers, Library of Congress.

American desert existed in the west; nor had the debates dealt with where in the west an area should be set aside for Indian removal.[39] Would the permanent Indian frontier lie above or below 36°30'?

By late 1820, developments indicated that the southern tribes would ultimately be resettled in Oklahoma, for on October 18, Indian Commissioner Andrew Jackson signed a treaty with the Choctaw tribe, exchanging lands in Mississippi for a western tract between the Arkansas and Red rivers. The new tract incongruously reached from the Western Cherokee land in Arkansas westward across unceded Comanche and Kiowa lands to the source of the Canadian River in present New Mexico. By earlier treaties that part of the Choctaw tract lying within present Arkansas had been emptied of Quapaw and Osage settlements, yet scarcely was the Choctaw treaty ratified before complaints came in from white citizens of Arkansas that *they* had prior claim to the land.[40] Of the 14,273 white citizens living in the territory, 400 families had settled within the Choctaw tract. They felt that the government had no right to burden Arkansas with Indian problems in order to relieve Mississippi of hers.[41]

A similar situation existed in Missouri. Trouble had risen between white settlers and a number of small tribes that had resettled there. In March, 1821, the General Assembly of Missouri asked the federal government to extinguish Indian title to all lands within the state, and remove the tribes that had immigrated into that state. In the early 1820's several removal treaties were negotiated, but actual removal was hampered because the government was unable to assign western Indian lands that were not already occupied. A workable, long-range removal policy was yet to be developed.[42]

In the closing months of his administration, James Monroe responded to the intense interest in Indian removal expressed by the western states and recommended to Congress that the area between the "present States and Territories and the Rocky Mountains and Mexico" be divided into districts where the eastern tribes could be settled, *permanently* protected from white

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[39] *Annals of Congress*, 15th Congress, 2nd Session, 1818-1819, pp. 1170-1172; 16th Congress, 1st Session, 1820, pp. 1206, 1579-1580.

[40] Kappler, *op. cit.*, pp. 191-195, 160-161, 167.

[41] *Arkansas Gazette*, January 6, February 3, 1821; *Historical Statistics*, p. 13.

[42] "Louisiana-Missouri Territory, 1815-1821," Vol. XV of *Territorial Papers of the United States*, pp. 586, 671, 706; "Indian Affairs," *American State Papers*, Vol. VIII, pp. 434-435.

encroachment.[43] On December 16, 1824, the House adopted a resolution asking the Committee on Indian Affairs to examine the feasibility of organizing a permanent Indian Territory out of lands "lying west of the State of Missouri and territories of Arkansas and Michigan," a territory to be occupied "exclusively by Indians." Following recommendations of Secretary of War John C. Calhoun, the Senate drafted a removal bill conforming to the proposal.[44]

Paradoxically, Senate debate on the bill described the proposed Indian territory as "among the most beautiful and fertile tracts of the country . . . Streams lined with timber intersect and beautify it in every direction." Upon some future period, "a numerous population would derive support from its fertility." Nevertheless, the same area was described as "a part of the country which will not answer our purposes of social intercourse and compact settlements." Those "delightful landscapes" were fit only for Indians. On February 23, 1825, the bill passed the Senate. The House, pressed with other business, failed to act on the measure.[45]

Nevertheless, the proposal that all Indians be moved beyond a line west of Missouri, Arkansas, and Michigan, and that white settlement be prohibited west of that line, became an indispensable part of national policy. To maintain order along the frontier line, the United States army erected a chain of military posts. Fort Gibson and Fort Towson were constructed in 1824, and Fort Leavenworth was established in 1827. From 1825 to 1829, during the administration of President John Quincy Adams, the government negotiated a number of treaties that further concentrated Indians in the west. In June, 1825, the Kansas and Osage tribes ceded their claims to all lands within Missouri and Oklahoma, in exchange for lands in Kansas.[46] With unassigned lands now available for bargaining purposes, the government initiated removal negotiations with immigrant Choctaw and Cherokee in Arkansas Territory.

In 1825 the Choctaw succumbed to pressure from white settlers and surrendered their Arkansas holdings for a tract between the Canadian and Red rivers, the eastern limit of which became the present boundary between Oklahoma and Arkansas.

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[43] James D. Richardson, editor, *Compilation of the Messages and Papers of the Presidents, 1789-1897*, 10 vols. (Washington: 1896), Vol. II, p. 261.

[44] *Niles' Weekly Register*, Vol. XXVII, December 25, 1824, p. 271; "Indian Affairs," *American State Papers*, Vol. VIII, pp. 542-544.

[45] *Register of Debates*, 18th Congress, 2nd Session, (1824-1825), pp. 641-642, 646.

[46] Kappler, *op. cit.*, pp. 211-214, 217-225.

In the winter of 1827 a delegation of eastern Choctaw explored the tribe's Oklahoma lands, and returned east reporting the area unsuitable for tribal settlement.[47] Meanwhile, a faction of the Creek tribe agreed to exchange their Georgia lands for unoccupied lands between the Canadian and Arkansas rivers in Oklahoma. In the spring of 1827 a Creek delegation explored their new acquisition and were reported highly pleased with the country.[48]

In 1828 the Western Cherokee exchanged their Arkansas lands for a seven-million acre Oklahoma reservation north of that assigned the Choctaw, with an additional outlet fifty-eight miles wide, through which they could reach the buffalo ranges—and, incidentally, the hunting ground of the Kiowa. The government's motive in granting such an immense tract, a large portion of which was considered "only fit for hunting," was to make a favorable impression on the eastern Indians, "so as to reconcile them to emigration." This treaty stirred a great deal of dissension among the Arkansas Cherokee, for they felt that their chiefs had exchanged their country for another comparatively of no value. In ratifying the treaty the Senate attached a proviso stipulating that Cherokee lands should not extend above the 36th parallel; this provision reflected Congress' sentiment that the southern Indians—many of whom had acquired Negro slaves—were to be moved directly westward, preserving the Missouri Compromise.[49]

In the north, Shawnee, Miami, Delaware, and other eastern tribes were placed on reservations west of the Kansas-Missouri border. The "permanent" Indian frontier—including present Oklahoma, Kansas, Nebraska, the Dakotas, and parts of Iowa and Minnesota—seemed an established fact. Many of the treaties ratified during Adams' administration guaranteed the tribes that their newly assigned lands would remain theirs *forever*, and that the United States would keep white settlers from encroaching upon them.[50]

Periodically the feasibility of continuing the policy of developing a permanent Indian territory was discussed in Congress. In December, 1826, the House of Representatives asked Secretary

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47 "Rev. Isaac M'Coy," *Transactions of the Kansas State Historical Society*, 1879-1880, Vol. II, p. 274; Edwin C. McReynolds, *Oklahoma: A History of the Sooner State* (Norman: 1954), pp. 131-132.

48 Kappler, *op. cit.*, pp. 214-217; pp. 264-267; pp. 288-291; *Arkansas Gazette*, April 17, 1827, and June 25, 1828.

49 Kappler, *Indian Treaties*, Vol. II, pp. 288-91; *Arkansas Gazette*, (June 25, 1828); *Niles' Register*, Vol. XXXV, (November 29, 1828), p. 217; Annie Heloise Abel, *The American Indian As Slave Holder and Secessionist*, Vol. I, (Cleveland 1915), pp. 21-22.

50 Kappler, *Indian Treaties*, Vol. II, pp. 212, 288-89.

of War James Barbour to investigate the matter. A month later Barbour replied that the eastern tribes were divided in their willingness to emigrate; they were not acquainted with the "nature or situation of the country to which it is proposed to remove them;" yet the western tribes, "so far as this has been ascertained," were willing to receive them peacefully. The primary obstacle to a complete and final removal was the belief among the tribes that the federal government could not or would not fulfill its promise to guarantee their permanent undisturbed possession of their new homes. Already the Indian immigrants in eastern Oklahoma seemed in danger of being displaced once again, for about 2,600 white settlers had settled upon the Choctaw reservation. The likely area for permanent tribal settlement seemed to be even farther west, onto the Great Plains where the white plowman would hesitate to go, or north into Kansas where white penetration had hardly begun.[51]

When Andrew Jackson became president in 1829, the government's removal policy acquired a definite coercive tone. In a message to the Creek Indians he emphasized not the desirability but the necessity of removal. "You and my white children are too near to each other to live in harmony," he told them. "Beyond the great river Mississippi . . . your father has provided a country large enough for all of you . . . You can live upon it . . . as long as the grass grows or the water runs . . . It will be yours forever." Jackson warned the Creek that if they remained in their old homes the federal government could not protect them from the actions of the states wherein they resided. In a message to Congress on December 8, 1829, Jackson suggested that each tribe be guaranteed a distinct control of its own district in the west, that emigration from the east be voluntary, but should any choose to remain in the east then they must be subject to the laws of the states. In May, 1830, Congress responded to the President's suggestion and passed a removal bill which reflected the policy that had been pursued for years—except that now the tribes, coming under the intimidation of state laws, would be forced to remove.[52]

With most of the arguments concerned with either humanitarianism or state sovereignty, the debates on the Removal Act of 1830 covered the entire history of Indian-government relations. Senator Peleg Sprague of Maine, an opponent of the bill, pointed out that the southern tribes had become civilized farmers: "It is proposed to send them from their cotton farms . . . to a

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51 *Indian Affairs, American State Papers,* Vol. VIII, pp. 700-03.

52 *Niles' Register,* Vol. XXXVI, (June 13, 1829), p. 258; *Register of Debates,* 21st Cong., 1st sess. (1829-1830), p. 15 and Appendix, p. 1136.

distant and unsubdued wilderness . . . We send these natives of a southern clime to northern regions, amongst fierce and warlike barbarians." Congress seemed generally ignorant of the nature of the country where the removed Indians were to go. Opponents of the measure quoted from the journals of Stephen H. Long and Thomas Nuttall to show the area's unsuitability, while one advocate of the bill declared that those Indians who had already migrated were "delighted" with their new homes, and that "most of their brethren who remain in the States would gladly improve their present condition by joining them."[53]

Proponents of the removal bill suggested that the emigrant tribes hopefully would form not only a barrier between white settlements and the tribes west of them, but also a buffer between the United States and Mexican territory. Occasionally a question arose concerning whether the resettling of slaveholding tribes west of Missouri and Arkansas involved a violation of the Missouri Compromise—unless the southern tribes relocated among their emigrant brothers below the thirty-sixth parallel. The debates as a whole suggested that the primary purpose of the bill was to allow the southern states to get rid of their Indians, with little thought given to the consequences of resettlement in the west.[54]

Indian removals in Jackson's and subsequent administrations followed the pattern established in the 1820's; the populous southern tribes followed a "Trail of Tears" to Oklahoma and northern tribes were placed on reservations in eastern Kansas. In 1833 a new treaty with the Western Cherokee, occasioned because Cherokee and Creek lands were found to overlap, extended the northern boundary of the slaveholding Cherokee to the thirty-seventh parallel, technically violating the Missouri Compromise.[53] In 1834 the government sent a military expedition into the western plains and persuaded the Pawnee, Comanche, and Wichita to accept a treaty of peace and friendship with the immigrant Indians, whom they had been raiding. In 1837 a similar treaty was signed with the Kiowa, and army troops at the frontier garrisons guarded the southwestern frontier line against white encroachment.[55]

Consequently, during the 1830's and 1840's white settlers turned their attention to other areas. In 1836 Arkansas contained enough population to warrant admission into the Union. In the same year white settlers advancing into Iowa organized

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[53] *Ibid.*, pp. 356, 1017, 1072.

[54] *Ibid.*, p. 1051; Abel, Indian Consolidation, pp. 378-80; *Niles Register*, Vol. XXXVIII, (June 25, 1830), p. 67.

[55] Kappler, *Indian Treaties*, Vol. II, pp. 385-88.

a new territory, displaced Indians in that area, and pushed the frontier line westward to the Missouri River—the eastern boundary of the present state of Nebraska. Meanwhile American settlers seized Texas from Mexico and westward expansion was channeled in that direction. Indian territory contained a number of white missionaries, traders, squaw-men, and squatters, but was generally bypassed as white immigrants headed for Texas, Oregon, California. A vast Indian Territory stretched from the Red River to the Missouri, and remained intact until Congress passed the Kansas-Nebraska Act in 1854.

During the preceding decade, the annexation of Texas and the acquisition of New Mexico and California brought sectional competition between north and south for a transcontinental railroad. Northerners, led by Senator Stephen A. Douglas of Illinois, sought to improve the north's chances for acquiring the coveted route by organizing the territory through which the northern route would run. In order to win southern support for his territorial bill, Douglas proposed that the unorganized area of the northern plains be divided into the two territories of Kansas and Nebraska, with the question of slavery to be decided by a popular vote of the territorial inhabitants.[56]

A study of the congressional debates over the Kansas-Nebraska bill shows that once again the interests of the Indians were submerged beneath national political issues. Only Senators Sam Houston of Texas and John Bell of Tennessee, and Representative James Meacham of Vermont spoke in defense of tribal rights to the land. Although the bill contained provisions that the territory of any Indian tribe should not be included within the limits or jurisdiction of Kansas or Nebraska, the act contained no provision to protect the tribes from the local government of the whites who would surround them.[57]

The Kansas-Nebraska Act placed the southern boundary of Kansas at the thirty-seventh parallel and, except for the unassigned Panhandle strip, gave to the remaining Indian Territory the same geographical limits as the present state of Oklahoma. The passage of the Kansas-Nebraska Act prompted Senator Robert W. Johnson of Arkansas to introduce a bill to organize the remaining Indian Territory for white settlement, but

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[56] *Ibid.*, pp. 435-39, 468-70, 489-91, *Correspondence on Immigration of Indians*, Sen. Doc. 512, 23rd Cong., 1st sess. (1833-34), Vol. V, p. 754; Ernest Wallace and E. Adamson Hoebel, *The Comanche, Lords of the Southern Plains*, (Norman, 1952), p. 291; Billington, *Westward Expansion*, pp. 597-99.

[57] *Congressional Globe*, 33rd Cong., 1st sess. (1853-1854), Appendix, pp. 187, 202, 940; *U. S. Statutes at Large*, Vol. X, 33rd Cong., 1st sess., pp. 277-90

the bill lacked northern support and did not come up for consideration.[58] In 1855 Kansas politicians illegally included Indian lands in the first districting of their territory for election purposes. With their lands obviously in jeopardy, the small immigrant tribes who had resettled in Kansas found that the best place remaining for them to go was among the southern tribes in Oklahoma. In the 1850's and 1860's the federal government completed a number of treaties which placed such diverse tribes as the Cheyenne, Miami, and Tonkawa on tracts located among the lands of the southern tribes. By 1874 Oklahoma contained Indians from such distant tribes as the Seminole in Florida, the Seneca from upper New York, and the Modoc from the Pacific northwest.[58]

How then does one explain specifically why Oklahoma became the principal resettlement area for the nation's Indians? Because of its comparative inaccessibility during colonial times, its reported barrenness, and its Comanche-Kiowa-Osage barrier, Oklahoma remained practically untouched by white civilization until the nineteenth century. Meanwhile the eastern settlements continuously pressured the government into carrying out a removal program which confiscated tribal lands and pushed eastern tribes beyond the Mississippi. The first southern Indians to migrate west of the Mississippi favored Arkansas because of its fertile valleys, its accessibility, and its relative freedom from fierce indigenous tribes. White settlers favored the Arkansas vallys for the same reasons, however, and by 1825 had arrived in enough numbers to displace the Indian immigrants in the same manner in which they had been crowded out earlier. Following the takeover of Arkansas by white settlement, the next most accessible area for the southern tribes was Oklahoma. The Missouri Compromise in 1820 in effect decreed that the populous slaveholding southern tribes would be resettled below the line 26°30'.

The first tier of northern white settlements to develop west of the Mississippi followed precedent and demanded tribal lands and Indian removal into the dry plains of Kansas and Nebraska, where pioneer farmers at the time cared not to go. Finally, northern desire for a transcontinental railroad route and southern desire for more slave territory resulted in the Kansas-Nebraska Act which for a time left only Oklahoma for the immigrant Indians. In 1889, when the government responded to pressure

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[58] *Ibid.*, p. 283; Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People*, (New York, 1929), Vol. I, pp. 272-73; Abel, *The American Indian*, pp. 35-36; Kappler, *Indian Treaties*, Vol. II, pp. 706-08, 756, 946, 960, 984; Wright, *A Guide to the Indian Tribes of Oklahoma*, pp. 184, 228, 238, 250.

from landless whites and opened Oklahoma to white settlement, the last Indian frontier crumbled away. The grass grew, the water ran, but not as forcefully as the land-hungry pioneer farmers.

AN OPEN LETTER FROM TOO-QUA-STEE TO CONGRESSMAN CHARLES CURTIS, 1898

By DeWitt Clinton Duncan

Introduction

The Indian Chieftain for February 17, 1898, prints a letter signed "Too-Qua-Stee," the pen name of DeWitt Clinton Duncan. In this, the writer gives his views, critical of certain provisions of the Curtis Bill, then before Congress, providing for many changes and the final close of the governments of the Five Civilized Tribes in the Indian Territory. DeWitt Clinton Duncan is ranked as one of the most powerful writers of his day in this part of the country, a talent that he used in the advancement of his people, the Cherokees.

Henry L. Dawes, former United States Senator from Massachusetts, Meredith H. Kidd from Indiana, and Archibald S. McKennon of Arkansas, had been appointed by President Cleveland on November 1, 1893, as members of the Commission to treat with the Five Civilized Tribes, with a duty of securing agreements of taking allotments of land in severalty and giving up the privilege of maintaining separate Indian governments. This commission became known as the Dawes Commission and played an important part in the history of Oklahoma, from 1893 to the end of the Territorial period in 1907.

For five years, the provisions of this bill before Congress were the subject of discussion and study, both among the members of the Five Civilized Tribes and members of Congress. Mr. Duncan wrote this letter to Congressman Charles Curtis, leader for the passage of the bill known in history as the Curtis Act. The work of the Dawes Commission finally resulted in the passage of the Curtis Act, approved by the President on June 28, 1898, finally providing for the close of the governments of the Five Civilized Tribes, including the division and allotment of lands in each of the tribal domains.

Among manuscript notes by Carolyn Thomas Foreman in the files of the Editorial Office are some on the life of DeWitt Clinton Duncan and on a rare booklet titled *Story of the Cherokees.* Too-Qua-Stee's letter from *The Indian Chieftain,* published at Vinita, Indian Territory,[1] together with the notes by Mrs. Foreman on the writer—DeWitt Clinton Duncan—are an interesting contribution to *The Chronicles.*

—The Editor

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[1] *The Indian Chieftain,* "Too-Qua-Stee Writes An Open Letter to Hon. Chas. Curtis, M. C.", February 17, 1898, Vol. XVI, No. 25, page 2.

DE WITT CLINTON DUNCAN

Too-Qua-Stee's Letter

My Dear Sir:

It has not been my fortune to be honored with a personal acquaintance with you. Therefore, by way of introduction, suffice it simply to say that I am an individual belonging to the older generation of Cherokees now living; and have a reasonable solicitude for the rights and wellbeing of my people.

I have carefully read the bill in congress by the terms of which you propose to revolutionize the institutions of our country. As a compulsory measure in avowed disregard of former agreements, it is good, perhaps the best that could be reasonably expected; certainly better than anything that has been as yet arrived at by amicable negotiation; certainly not worse than the best that the Cherokees had good reason to believe attainable in their behalf by means of an agreement with the Dawes commission.

Yet, in conceding so much, I would not be understood as finding no fault with the bill.

I perceive, for instance, that it provides for the allotment of only the use and occupation of our lands. This feature of the bill is objectionable from several points of view.

1. Suppose the allottee should die; what then is to become of the land covered by this allotment? This use and occupation expire; because there is nobody living to keep it up. The land is now the common property of the Cherokee people, and is in the use and occupation of nobody. What is to be done with it? Will it be again subjected to allotment and awarded to somebody else? If so, to whom? To the heirs of the deceased, or to others? Would it be likely, in such an event, to become a sweet morsel to be coveted and grabbed at by speculation?

These are contingencies of much practical importance; yet your bill makes no adequate provisions for meeting them. Under the bill as it now stands, the administration of our landed interest is likely to prove a matter of endless perplexity and embarrassment.

2. The effect of this kind of allotment will be to retain our Cherokee lands universally inalienable; it will give us all the restrictions of land in severalty but, at the same time, deny us the benefit of the chief element of that kind of property—its alienability. It is a principle in the science of property, that an article for which there is no market value, is in nine cases out of ten, but a drug and burden upon the hands of its owner. There generally comes a time in the life of a man, when it would be

better for him to convert his land into money, especially along in the last days of his old age when he cannot utilize it in raising his support from it with his own hands; the money would serve him a much better purpose. It is easy to conceive of a thousand different ways in actual life in which this truth might be further illustrated.

There are some cases undoubtedly among the Cherokees, as there are always any where else, in which it would not be best for the party to have control of the fee of the land which he enjoys. There could be no fault found with the bill for withholding the absolute title from such persons. But that is, by no means, the condition of the average Cherokee.

Permit me, sir, in view of these facts, respectfully to suggest in this connection at least two amendments for your bill, 1st, that in all cases where only the present use and occupation are assigned, the allottee, if living, and in case he is dead, then his rightful heirs, shall take in fee simple the land covered by such allotment, whenever the absolute title in severalty shall come, (as come it will sooner or later) to be disposed of in severalty. 2nd, that all persons who are competent to be entrusted safely with the absolute disposal of their lands, be allowed to take their allotment in fee simple, and that a suitable tribunal be designated whose duty and power shall be to try and determine such questions of competency and order accordingly.

Once more: the provisions in your bill, sir, setting aside 157,600 acres of land for the benefit of the Delaware is exceedingly objectionable. The ground of this objection cannot but be most obvious by the slightest attention to the facts in connection with this subject.

By consulting the 15th article of the treaty of 1866, it will be seen that the Delaware came into the Cherokee country under an arrangement which required them to "have a district of country set off for their use by metes and bounds, equal to 160 acres for each man, woman and child, of said tribe." The contract entered into by the Cherokees, with the Delawares was based on this provision of the treaty, and the treaty and the agreement constitute a part of each other and must be construed together.

The treaty required that these Delaware should take this 157,000 acres in a compact body—in the form of "a district of country set off by metes and bounds." But no sooner had the negotiations looking to their admission been completed than they thought better of their bargain; they abandoned the idea of maintaining a separate community; they thought no more about "preserving their tribal organization, and maintaining their

tribal laws, customs and usages;" they begun to see the advantages of promiscuous settlement at large upon the Cherokee common domain would be much more desirable than anything that could be effected from a distinctive community locked up within the "metes and bounds" of a small district about fifteen miles square; they saw that promiscuous settlement would release them from their confinement to their agreed portion of 160 acres each and open up to them a capacious field for monopoly, and give them an equal chance with native Cherokees in that illicit kind of speculation.

Hence, from the earliest times, we hear nothing from them with reference to a separate "district" set apart by "metes and bounds"; nothing about preserving their original tribal organization; nothing about living under their own "tribal laws, customs and usages." From the very first they break away from the terms of their agreement with the Cherokees, selected the most desirable spots, and instead of limiting their ambition to the stipulated 160, they have proved to be among the most successful monopolists in the country, and have been, for the last thirty years or more, enjoying the use of thousands and thousands of acres of Cherokee land to which they have had not even a shadow of a title under their contract and the treaty. This, my dear sirs, is the character of the facts in the face of which this "segregation" 157,000 acres is ordered.

There arises then a question like this: Can a wholesale segregation of land like this, and under these circumstances, be just to the Cherokees?

The bill does not indicate how the "setting apart" is to be accomplished. It must, however, be done in one or the other of two ways: It must be taken in the form of a compact district as provided by the treaty, or in detached portions so as to include the improvements of the individual Delawares as they are now located. The latter scheme could not be made effective simply because it is not authorized by the terms of the compact between the Delawares and Cherokees. It was never intended by the contracting parties that the Delawares should have the privilege to run about over the Cherokee domain and pick out the most desirable spots as going to make the sum total of their agreed tract. This was not the contract. They were to take their land in the form of a "district" or county, and taking it as it came—good, bad and indifferent.

Again, the "segregation" of this land for the benefit of the Delawares, would now be not only impracticable, but exceedingly unjust to the Cherokees. This provision in your bill, sir, implies that the Delawares are entitled to the ownership of this land

under the terms of their contract with the Cherokees; yet to hold such a view is certainly a very grave misconception of the facts in the case. It is not easy to induce a mind trained in the modes of thought peculiar to the common law, to contemplate the subject of landed property after the Indian way of thinking. Yet it is according to this Indian way of thinking that the contract is to be interpreted. The parties were both Indian. It never entered the mind of the Cherokees that they were selling, nor the mind of the Delawares that they were purchasing any more than the right to occupy and use the land in question. This is evidenced by a multitude of considerations. 1. From tribal customs. An Indian in selling land to a fellow tribesman never thinks of conveying anything more than the right of use and occupancy; nor in buying, in acquiring anything more than that. 2. The Cherokees, in all cases where it was their intention to part with the fee, have been in the habit of executing to the purchaser a deed of conveyance, as in the sale of those select tracts west of 96 degree to the Osages, and to other tribes that came into the Cherokee country about the time the Delawares did. The United States did not require the Cherokees to deed to the Delawares as she did in behalf of those western tribes. The Delawares themselves never thought of securing from the Cherokees any conveyance in fee; nor did it ever occur to the Cherokees that the rights contemplated by such an instrument would ever be insisted upon. 3. According to the treaty this land was simply to be "set off for their use," and they were to "pay for the same," etc. "Pay" for what, the land, or the use of it? Of course, a lawyer would say "the land", because his mind is professionally trained to that way of thinking. But what a lawyer might think of the matter is not material. The important question is this: "What were the minds of these Indians at the time they were dealing with each other?" Every circumstance goes to show that the Delawares were to "pay" simply for the use of the land, in the meantime, with a guarantee that when an allotment should be made, each one of them should have not less than 160 acres. 4. Finally; the Delawares stipulated with the Cherokees that whenever in the future, an allotment should be made, each one of them should be allowed to take 160 acres. Now if these Delawares had actually purchased and paid for this land, why should it be necessary for them to stipulate at all for an allotment? If the land was their own by purchase, it was theirs and not subject to allotment. If, on the other hand, it was subject to allotment, it must needs be the common property of the nation.

The conclusion is clear: The Delawares never acquired the fee simple of this 157,000 acres; and to set the same aside for their use as proposed by your bill, sir, would be a most unwar-

ranted appropriation of the common property of the Cherokee people.

In conclusion, would say that the arrangement proposed by your bill lacks somewhat of being in accord with sound principle. Permit me respectfully, sir, to call your attention, (perhaps needlessly) to the fact that there is only one right way to allot a piece of common property in severalty among a community of common owners; and that is, to divide the whole property into as many parts of equal value as there are members in the community and then see that each member is put into possession of his part; any scheme different from this, partakes of the nature of unfairness. There can be no objection to the reserving of townsites and laying them off into town-lots provided the commission intrusted with that work be sufficiently hampered by law to render speculation impracticable. But let these town lots be appraised at their real value, in the same manner as the quarter-sections in the rural districts. Then if any man wants a piece of soil within the limits of a town plat, let him take it at its appraised value and as a part, or even the whole of his allotment; why not? Is that not fair enough? Any other scheme for the disposal of the soil within the limits of a town site than this, or some other which shall secure the same results, cannot be without the need of justification against a suspicion of greed.

The provision in your bill, too, setting aside certain portions of land for religious, charitable and educational purposes, is also objectionable. I cannot persuade myself to believe that it is fair to make the Cherokees, as a class of citizens, contribute so liberally of their means to the support of these public institutions, while there are in the territory so many thousands of residents who are soon to have a large portion, and perhaps the whole, of the benefits, and who, at the same time are free from all the burdens. The churches are not exclusively Cherokee churches; the schools are not exclusively Cherokee schools; and the time is near at hand when our asylums will not be exclusively Cherokee asylums; why should the Cherokees alone be taxed for the support of these institutions? Taxation for public purposes should be equal.

My view, sir, of this subject is this: Let these poor Indians have their property without the least "dip", stint, or reserve; that is fair, and nothing else can be fair. Then, when this is done, let there be levied a suitable tax for these public purposes upon all the inhabitants of the territory without regard to race or citizenship.

With much esteem, sir, I am your obedient servant.

TOO-QUA-STEE

Notes on DeWitt Clinton Duncan and a Recently Discovered History of the Cherokees

By Carolyn Thomas Foreman

It is exciting to find among one's papers a booklet entitled *Story of the Cherokees* and learn that the title does not appear in any bibliography of Indian Territory or Oklahoma.

The Cherokees have been fortunate in members of their nation who were sufficiently talented to record some of their history. Contents of those books preserved facts which would otherwise have been lost to future generations. The bibliography of Cherokee works is more extensive than that of other tribes due to the wonderful invention of Sequoyah who is credited with advancing his people a hundred years.

Some of the wealthy Cherokees employed tutors for their children and later some lads who displayed unusual ability were sent to the school at Cornwall, Connecticut. The Choctaw Academy in Kentucky educated many of American Indian youths who became leaders in their native tribal governments.

Moor's Indian School, which became Dartmouth College in New Hampshire, contributed to the learning of many red men who developed into brilliant statesmen, teachers, and writers. Among the latter was DeWitt Clinton Duncan who was graduated from Dartmouth College, New Hampshire in 1861.

Of Duncan, President Lord of Dartmouth College stated: "He excelled all those who have been under my care during my term of thirty-four years." Professor Leon B. Richardson also considered Duncan as an excellent student. "He was nearly fitted for college when he arrived at Dartmouth in 1857."

DeWitt Clinton Duncan, a son of John and Elizabeth Abercrombie Duncan, was born February 22, 1929, at Dahlonega, Georgia in the old Cherokee Nation. John Duncan was of half Cherokee blood, and Elizabeth Abercrombie was a white woman. John was one of the signers of the Cherokee constitution, formed by delegates from the various districts and adopted at New Echota in July, 1827. He represented Hickory District. He was a delegate when the Cherokee council house was built in 1867 in Tahlequah.

When his people were driven from their home in the East, young DeWitt Clinton Duncan came with his parents over the "Trail of Tears" to the Indian country west of the Mississippi in 1839. He was reared in a family and among neighbors devoted to church and temperance work. A classmate of Duncan's described him as among his fellow student "of exceedingly handsome presence and a great favorite."

It is interesting that Duncan's parents chose the name of one of the most prominent statesmen in the United States for their son. DeWitt Clinton, a native of New York state and a graduate of Columbia University, was twice governor of New York. For many years he was mayor of New York City, and contributed to the Historical Society of New York a valuable discourse on the Indians of New York. DeWitt Clinton served as senator from his native state in 1802-1803. As the Federalist and peace candidate in the presidential campaign in 1812, he was defeated for President by James Madison.

DeWitt Clinton Duncan was fortunate in being absent from his nation as he escaped the horrors of the Civil War which devastated his Cherokee homeland from 1861 to 1865. Roger Eubanks related that when Duncan returned home from Dartmouth College, he donned a home-spun hunting shirt with broad red and blue stripes and he wore beaded mocassins. In many tribes the home folk were scornful of youths who had attended college and Duncan was defeated by an illiterate Indian when he campaigned for prosecuting attorney of Saline District.

The young graduate of Dartmouth had some experience in teaching, after his diploma from Dartmouth College was awarded, at Lisbon and Littleton, New Hampshire; then at Eagle, Wisconsin; Belvidere, Illinois; and Clarksville, Iowa, before going to Charles City in that state, where he settled. He was admitted to the bar in May, 1869, and practiced there for years. At one time he was elected mayor of that town. On December 22, 1863, Duncan married Helen Rosencrans of Beloit, Wisconsin. They had no children and she survived him.

This versatile Indian served his nation in several capacities: He taught language at the Cherokee Male Seminary, later became principal of the institution when he was instructor of English, Latin, and Greek. Roger Eubanks recalled that Duncan was "exceptionally proficient in those subjects. His pronunciation was perfect and he could talk indefinitely without making a grammatical error."

Duncan demonstrated his legal ability during the trying days of the David L. Payne invasions of the Indian country with his "Boomers" who were determined to gain possession of the land belonging to the Indians. Chief Dennis W. Bushyhead suggested that each one of the Five Civilized Tribes select a member to represent his nation, but the Indians decided "to entrust the Indian cause to D.W.C. Duncan, the Cherokee member." The decision was reached in May, 1881, and established that Oklahoma was not public lands subject to homestead entry. With the support of Assistant Chief William Penn Adair,

DeWitt Duncan was appointed to serve with Principal Chief Dennis Bushyhead to represent the Cherokee Nation in the meeting of October 20, 1880, which was attended by delegates from each of the Five Civilized Tribes. Each of these nations appropriated funds to prosecute the case. Payne's case was tried before the celebrated Federal Judge Isaac Parker in Fort Smith. Duncan and W. H. H. Clayton, U. S. District Attorney, prosecuted. Payne, found guilty, was fined $1,000, which was never paid.

The International Congress of 1880 had selected a joint committee to render any service possible. It was composed of George Washington Grayson, Creek; James Thompson, Choctaw; Thomas Cloud, Seminole; and DeWitt Clinton Duncan, Cherokee. An extensive report was made on the case.

Late in life the call of home and his own people drew DeWitt Clinton Duncan back to the Indian Territory and he settled at Vinita. He devoted much time and effort to the defense of the rights of this people whom he believed to have suffered great wrongs from the United States government. He was throughout his life an earnest worker for all moral causes, and was a member of the Methodist Church.

Under his Cherokee name, "Too-qua-stee," he wrote many poems, which found publication in the local press. Among the best of these are "Sitting Bull's Address to his Braves upon the Eve of the Battle of the Big Horn," and an "Ode to Sequoyah, Inventor of the Cherokee Alphabet."

James Constantine Pilling, the celebrated bibliographer of the Indian languages, gave space to the writings of Duncan in his *Bibliography of the Iroquoian Languages,* (Washington, 1888). The items appear as follows:

> A novelty in Cherokee literature, in the *Vinita Chieftain*, January 21, 1886, giving the Lord's Prayer in Roman characters as an illustration that these characters are entirely adequate to express all the sounds of the Cherokee language.
>
> Analysis of the Cherokee language, an incomplete manuscript which consisted in January, 1888, of 99 pages . . . in possession of the author. Duncan told Pilling that this was the result of many years of investigation. He also informed the bibliographer that he "had a work on hand looking to the compilation of a Cherokee-English and English-Cherokee lexicon.

Many noted Indians worked in some capacity on the *Tahlequah Telephone* and Harvey Will Courtland was the editor in 1888 when Duncan's wife, Helen Rosencranz Duncan, appeared as "editress" of an educational department of the paper.

When the World's Fair was held in St. Louis in 1904, Duncan was chosen to write a poem to represent the Indian Terri-

tory. After reading Rudyard Kipling's poem, "The White Man's Burden" Duncan wrote presenting the red man's point of view. Lee R. Payne (Tulsa, Oklahoma), a nephew of Duncan said of the poem: "The idea of the poem was not a bad one. Uncle Clint, though only a quarter-blood Cherokee, throughout his rather turbulent life looked at things from the Indian's point of view. His Scotch blood, though more in degree (three-fourths) was far less an influence in his life."

Duncan was an alternate delegate to the Sequoyah Constitutional Convention held in Muskogee in the summer of 1905. The Duncan family produced several people of note. The Reverend Walter Adair Duncan, brother of DeWitt Clinton, was a graduate of the Cherokee Male Seminary. He served at different times as superintendent of education, senator from Flint District, and executive councilor. He assumed charge of the Cherokee Orphanage after the National Council bought the three story brick residence of Lewis Ross at Salina, and removed the orphan children to this new home. Walter Duncan, commonly known as "Watt," married (1st) Martha Wilson, a graduate of the Cherokee Female Seminary; (2nd) Martha Bell and (3rd) Catherine Ann Cabel (nee' Larzalere). Mrs. Helen Duncan White, daughter of George W. Hughes, first mayor of Fort Gibson and first mayor of Tahlequah after the town was incorporated, is a relative of DeWitt Clinton Duncan. She is a noted writer and an authority on affairs of the Cherokee Female Seminary. She is living at an advanced age with her daughter, Miss Buena Vista White, a prominent teacher in Muskogee (1958).

Upon discovering the writer's copy of Duncan's *Story of the Cherokees,* given to me years ago by a former missionary, I was impelled to learn if other copies of the tiny, paper bound book had survived the years and I wrote to the Library of Congress in Washington; the Oklahoma Historical Society in Oklahoma City; University of Tulsa; Baker Library, Dartmouth College; State Historical Society of Wisconsin at Madison; The Newberry Library, The Ayer Collection, Chicago; the Beloit, Wisconsin Historical Museum, where the former president, Lucius C. Porter, checked the records for matters concerning Mr. and Mrs. Duncan; the Charles City, Iowa, Chamber of Commerce, whose intelligent secretary turned my inquiry over to the Floyd County Historical Society in care of Mrs. Cecilia Blake.

Mrs. Blake kindly copied extracts from the pages of *A History of Floyd County, Iowa* (1882), in which Mr. Duncan's name is listed in several catagories. Mrs. Blake wrote:

> An old record book of the Congregational Church . . . shows he and his wife . . . joined this church May 5, 1867 . . the church (was) founded in 1858. His letter was from the Congregational church, Dartmouth college

and Mrs. Duncan's was from the First Congregational church, Beloit, Wis. . . . I have a date to interview M. L. Slutter and his sister, Reka Cole, grandchildren of Asa French who taught school here when Mr. Duncan was principal and was a neighbor. Mrs. Cole recalls going with a playmate to the Duncan home and asking Mrs. Duncan if her husband was an Indian . . .

The Floyd County History records much of the Cherokee's early history and states that he came to Clarkesville, Butler County, Iowa, in 1864, where he remained two years reading law. "In January, 1866 he came to Charles City, Iowa to practice law . . . Mr. Duncan was elected mayor of Charles City and held the office one year; he held the office of Justice of the peace for several years.

In politics he is a Republican and voted for the amendment prohibiting the sale nd manufacture of alcohol. He is one of the leading members of the Floyd County Bar . . .

Mrs. Helen Rosencranz Duncan served as superintendent of School of Floyd County for four years. D.W.C. Duncan was employed to teach and have supervision of the grade school in subdistrict No. 3, Salary $1,000 per year.

Mr. Slutter said the law practice was not always too remunerative and sometimes Mr. Duncan had to saw wood to get money for groceries. He took part in all city affairs and argued for his beliefs. He had strong views against liquor and both he and Mrs. Duncan were much interested in advancing religion. Both associated with the best people in the community."

Librarian Mildred E. Wilson, Iowa State Department of History and Archives, Des Moines, wrote entertainingly of the Duncans, stating that Mr. Duncan was a trustee of the First Congregational Church in Floyd County, at Charles City in 1873; and "The opening of the first term of school in this (new) building was formally announced for Monday, January 21, 1867, with D.W.C. Duncan as principal."

From the archives of the Oklahoma Historical Society, Mrs. Rella Looney, the Archivist, copied the account of Mr. Duncan's passing from the *Weekly Chieftain,* Vinita, Oklahoma, November 5, 1909:

FAMOUS CHEROKEE WRITER IS DEAD
DeWITT CLINTON DUNCAN KNOWN AS "TOOQUASTEE"
DIED AT HIS HOME IN THIS CITY

DeWitt Clinton Duncan died last Tuesday after a somewhat long continued illness with complications of troubles and a general breakdown on account of his advanced age. Mr. Duncan was a man of ability, a scholar, and a writer widely known. Under the Cherokee name of "Too-quastee" he has written both prose and poetry distinguished for its pure and elegant diction . . .

A long memorial account of Mr. Duncan in the *Weekly Chieftain,* lauds him and his wife in their efforts for the betterment of their fellowmen. It states:

Mr. Duncan was the last of his generation. In the family were eleven children. Seven sons and four daughters, all reached maturity and died in this country.

His was a superior mind, practical in the working out of his thoughts, to him a promise was a promise to be kept.

The ancient treaty made by the government to the Indians relative to their removal to the Indian Territory, a treaty which opened with the poetic statement, "As long as grass grows and water runs," to him meant exactly what it said. Though realizing the inevitable, that white civilization must prevail, Mr. Duncan held that there was an honorable way which was not taken . . .

He passed peacefully away November 2nd and was laid to rest in Vinita cemetery, November 5, 1909. He leaves a widow with many sympathizing friends to mourn her loss. He was a good type of Christian and might have sung with Tennyson:

Sunset and the evening star
And one clear call for me;
And may there be no moaning of the bar
When I put out to sea.

ADDITIONAL NOTES ON THE BOOKLET *STORY OF THE CHEROKEES*

Although the title page of *Story of the Cherokees* states "Copyright Applied For," there is no copy of the booklet in the Library of Congress where it would have been preserved if copyrighted. The author's name on the cover is "Col. D. W. C. Duncan." There are twenty-three and one-fourth pages and the only clue to the time of publication is given on page 1, in an account written by Frances E. Willard who wrote:

In the spring of 1881 I made a temperance trip to the Indian Territory, and while there met Col. D. W. C. Duncan, a Cherokee Indian, gifted, handsome, proud of his race, and of whom any race might well be proud . . . As Mrs. Duncan, an accomplished white lady, is one of our most earnest temperance women, I had repeated opportunity of conversation with herself and husband—indeed, was materially aided by them in my work, the colonel being a fine speaker.

So much was I impressed by the recitals to which I have referred that at my urgent request Col. Duncan wrote the following 'Story of the Cherokee,' which is respectfully submitted to my friend, Mrs. (Helen Ekin) Starrett, of *The Weekly Magazine*—which paper is well known to tilt a free lance for the right . . .

Although a search was made in all the libraries mentioned here, the only place where a copy was found was in the Cherokee Room of the Northeastern State College, Tahlequah, Oklahoma. All librarians assured the writer that the little book must be very rare. A member of the Duncan family still residing in Tahlequah is Mrs. T. L. Ballenger, wife of Dr. Ballenger until recently history professor of the Tahlequah College. She is a Cherokee member of the Inter-Tribal Council of the Five Civilized Tribes, a

charming woman who shows by her fine mind that the combination of Scot-Cherokee blood is still superior. Mrs. Helen Duncan White, a writer and noted Cherokee, is a member of the Duncan family and citizen of Muskogee.

The writer is particularly grateful for information from Mrs. Ethel G. Martin, Archivist, Baker Library, Dartmouth College, Hanover, New Hampshire. Miss Mildred E. Wilson, Librarian, Iowa State Department of History and Archives, Des Moines, Iowa, sent material from the *History of Floyd County, Iowa* which added interest to the subject.

Mr. Robert L. Thomson, Executive Secretary of the Charles City, Iowa Chamber of Commerce, sent the name and address of Mrs. Cecilia Blake, secretary of the Floyd County Historical Society, Charles City, Iowa, who not only copied items from the county history, but interviewed elderly citizens of the city who remember Mr. and Mrs. DeWitt Clinton Duncan. To these kind officials the writer wishes to extend her sincere gratitude for the interest they displayed in her project.[1]

Mr. Lucius C. Porter, former president of the Beloit (Wisconsin) Historical Society, graciously checked records in several Beloit Congregational Churches for records concerning Mrs. Duncan and her parents. Thanks are also due to a large number of famous libraries throughout the country who reported no copy of the Duncan book, with the added statement, "It must be very rare."

[1] Written by Carolyn Thomas Foreman in Muskogee, Oklahoma, January, 1958.

A HISTORIOGRAPHY OF THE FIVE CIVILIZED TRIBES: A CHRONOLOGICAL APPROACH

*By R. Palmer Howard, M.D.**

It is my purpose to sketch the development of the historiography concerning the southeastern Indians who first were given the sobriquet, the Five Civilized Tribes. When encountered by the Spanish and French explorers and later by the English settlers and traders from the Southern Colonies, the southeastern Indians were similar to many other North American aboriginals. They fed, clothed and sheltered themselves, and fought other Indians and white men to preserve their lands and customs. Their courageous efforts failed, however, for the new infectious diseases and alcohol introduced by the invaders sapped the strength and shortened the lives of more natives than arrows and bullets. The Indians passed on their traditions by word of mouth, for no native writing existed among the American Indian tribes during more than two centuries of gradual civilization until Sequoyah invented the Cherokee syllabary in 1821.

The western European civilization did not stand still after Columbus, De Soto and the Jamestown settlers. Political, social and industrial revolutions occurred throughout the period. In particular, the social movements of the nineteenth and twentieth centuries led to scrutiny and modification of the national policies toward the native American Indians. The personal attitudes and the basic education of the record writers changed along with the social and technical advances. Diarists, preachers and narrators of local lore were replaced by the first generation of professional writers, anthropologists and historians. Their recent successors brought a more sophisticated methodology for the survey and analysis of the massive but uncatalogued manuscript sources. Since periods even earlier than the first paper by Frederick Jackson Turner (1893), scholars have reexamined the frontiers of the past from fresh vistas. Yet these analyses become increasingly remote from many of the devastating conflicts between the cultures of the white man and the native American.

The early Spanish, French and English visitors to the southeastern American Indians provided interesting travel accounts, but fragmentary details about the native customs and lore. Dur-

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ing the late Colonial period the government of South Carolina licensed the Scotsman James Adair to trade successively among the Cherokees (1736-43), Catawbas (1743) and Chickasaws (1744-68). Adair was also commissioned to intrigue for trade among the French-dominated Choctaws, and he traveled through much of the Creek Nation. In *The History of the American Indians* (1775) Adair supported a contemporary hypothesis that the aboriginal Americans had descended from the Lost Tribes of Judah. Adair was an educated Briton of his age and a lover of nature, wine, women, money, war and his own country. He respected the native Indians and admired the self-dependence of the traders and settlers in America. Above all, his entertaining narrative contained personal observations so well substantiated by other contemporary information that later scholars regarded Adair as a dependable observer and recorder.

He recounted in fascinating detail the comparative religious beliefs, taboos regarding menstruating women, bleeding wounds and childbirth, burial practices, purification of attendants and mourning observations, marriage and divorce, and treatment of the sick and methods of dealing with ghosts and witches. The Cherokees in 1783 suffered a severe epidemic of smallpox. The magi attributed this to the "adulterous intercourses of the young married people." They ordered the afflicted to lie outdoors and "poured cold water on their naked breasts, sung their mystical religious song, Yo Yo, &c. with a doleful tune, and shaked a callabash with pebble-stones, over the sick, using a great many frantic gestures by way of incantation." Still the infection spread, so they plunged the sick into the river after sweating them, but they expired promptly. Adair, however, praised the Indians for their knowledge of herbs and their ability in "curing green wounds by bullets, arrows, &c."[1]

Adair also described the selection of war parties, the conduct of war, the torture of captives before burning them at the stake, the playing of ball games, gambling, hunting, fishing, agriculture, home building, carpeting, clothing, basketry, pottery and the manufacture of stovepipes. His friendship and admiration for much of the Indian way of life did not prevent him from espousing a firm policy of retributive justice for murder and other serious crimes against the traders or the plantation settlers. He considered many red coat officers and civil administrators guilty of haughty brutality or cowardly acquiescence with wrongdoing and neglect of punishment of guilty Indians. Adair concluded the book with the hope that the leaders in America and

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[1] James Adair, *The History of the American Indians* (London: 1775), pp. 232-34.

Britain would avoid civil war and a "profitable intercourse . . . and perpetual friendship" would continue.

After the War of Independence, and especially after the Louisiana Purchase, numerous official reports and letters about the southeastern tribes reached the American authorities. Government agents reported to their superiors at the Indian Bureau, which was first under the War Department and later the Interior Department. These accounts were sometimes biased by the personal background of the agent. The remarks of Americans living with the Indians nevertheless influenced the commissioners' official reports, although these were prepared to justify the executive accomplishments and to satisfy the prevailing political opinion in the nation's capital.[2] Occasionally United States commissions were sent to prepare new treaties or to investigate local situations. The accumulated reports from the local, state and federal officers were sometimes published as independent government documents.[3]

The letters from the Christian missionaries to their superiors emphasized their successful evangelism among the Indian natives. These letters often included comments on the local geography, customs and politics. Since the bias of the missionaries differed from the government officers, valuable information is available in the manuscript holdings of the American Board of Commissioners of Foreign Missions and of other church denominations. Extracts from the letters sometimes appeared in the contemporary religious periodicals. For example, the Reverend Evan Jones mentioned the rejection of the 1835 treaty to cede their eastern lands at the Cherokee General Council held on September 15, 1836, and provided a map of his tour through the Hiawassee River settlements in March 1837.[4]

Several notable travelers also visited the southeastern states and the western Indian Territory during the 1830's. George Catlin (1796-1872) revealed his sympathetic understanding of the Indians in his published journals *North American Indians* (1841). His descriptive paintings of the fully costumed Indians included the Seminole warrior Osceola and many leaders of the other tribes. John Howard Payne (1791-1852) was arrested by Georgia officers while visiting the Cherokee Nation before the removal. His newspaper reports and testimony to the federal government strongly supported the Cherokee Chief, John Ross.

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[2] Commissioner of Indian Affairs *Annual Reports* (Washington: 1824—).

[3] For example, an important U.S. Senate document is *Doc. 512*, U. S. Senate, 23 Congress, 1 sess. Vols. I-V Correspondence on the subject of "Removal and Subsistance of the Indians." (Washington: 1833-35).

[4] *The Baptist Missionary Magazine*, Vol. XVII (1837), pp. 43, 202.

Payne's writings and acquisitions have been preserved in the Ayer Collection of the Newberry Library, Chicago. In *A Tour of the Prairies,* Washington Irving (1783-1859) described vividly his 1832 journey with a company of United States Dragoons. They traveled from Fort Gibson through the east central part of modern Oklahoma.[5]

During the mid-part of the nineteenth century several missionaries and military officers kept personal journals. Some still lie buried among collections of manuscripts but others have been edited and published recently. A few appeared in the contemporary press without scholarly research and editing. Henry Clark Benson taught at the Methodist-sponsored Fort Coffee Academy in the Choctaw Nation during 1843-45. He described his boat journey from Ohio via Napoleon, Arkansas where there was a "dismal swamp" infested by myriads of huge mosquitoes. He assumed that the exhalations from the unpleasant marsh lands surrounding Fort Coffee caused his own attack of "inflammatory bilious fever" (probably typhoid). Benson also mentioned his visit in 1844 to the Reverend Samuel A. Worcester at Park Hill Mission during the First Conference of Indian Missions of the Methodist Episcopal Church. Benson commented on the slavery question and discussed the attitudes of leaders in the Choctaw and Cherokee nations to education, religion and justice.[6]

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5 Washington Irving's tour on the western prairies of Indian Territory in 1832 is noted in the history of publication for the many books on the expedition including several editions of Irving's own *Tour on the Prairies* (original edition published in Philadelphia, 1835). The latest edition of this book—*Tour on the Prairies* by Washington Irving—annotated by editors Joseph B. Thoburn and George C. Wells was published by Harlow Publishing Corp. Oklahoma City, in 1926 and 1955. The Harlow editions of Irving's *Tour* were the basis of the work of Dr. Angie Debo and George H. Shirk in mapping the historic sites along the Irving route for publication. Three of Irving's companion travelers in 1832 wrote books on the same expedition:

Henry L. Ellsworth, *Washington Irving on the Prairie: A Narrative of a Tour of the Southwest in 1832,* eds. Stanley T. Williams and Barbara D. Simison (New York, 1937). This book gives the best detailed account of the Tour.

Charles Joseph Latrobe, *The Rambler in North America, 1832-1833,* 2 vols., (London, 1835). Other editions of this book include the Oklahoma section of the Tour of 1832. (Vol. 2), published under the title of *The Rambler in Oklahoma,* annotated by Muriel H. Wright and George H. Shirk (Oklahoma City: Harlow Publishing Co., 1955).

On the Tour with Washington Irving. The Journal and Letters of Count de Pourtales, edited, with introduction and notes by George F. Spaulding. Translated by Seymour Feiler. (Norman: University of Oklahoma Press, 1968).

6 Rev. Henry C. Benson, *Life Among the Choctaw Indians* (Cincinnati, 1860).

Rodney Glisan (1827-1890) was an army surgeon who was posted to the forts guarding the western borders of the Indian Territory before the Civil War. Doctors with the military units and a few among the missionaries were almost the only trained physicians in Indian Territory until the final decades of the nineteenth century. Glisan mentioned some health matters along with the climatic and geographic conditions, ball playing and other social customs of the Kickapoos, Choctaws and other Indian tribes, and the activities of his fellow soldiers in *Journal of Army Life.*[7]

A new class of books appeared by the middle of the nineteenth century. A few men associated with the government made efforts to generalize from their extensive experiences and to formulate policies for future federal relations with the Indians. Thomas Loraine McKenney (1785-1859) was a military officer who served as superintendent of trade with the Indians in 1816. He accepted the suggestion of James Calhoun, Secretary of War, to plan and head the Bureau of Indian Affairs under the War Department in March 1824. McKenney visited many Indian tribes in his official capacity. He also represented the War Department in meetings with Dutch Reformed Church leaders and other citizens to initiate an Indian Board in 1829. At that time McKenney espoused the policy to remove the southeastern Indians in order to protect them from extermination by the vices of civilization. McKenney had close contacts with Chief John Ross of the Cherokees and many of the other leaders of the southeastern tribes, including the warring Seminoles. He was out of the government service when he intervened in John Ross's behalf with Secretary of War Poinsett in 1837 before the compulsory removal. In his *Memoirs; Official and Personal* (1846), McKenney vindicated Chief John Ross in respect to the tribal leadership, his relations with the United States Government, and his innocence of conspiracy to murder the Ridges and Boudinot. McKenney quoted directly from the memorials submitted by the Indian delegations to the federal authorities and from the government records. He concluded in a chapter, "Preservation of the Indians," that the Indian Territory should be fully integrated with the United States, that the Indians be made full citizens, and that they be confirmed in their right to the soil, "for no nation ever advanced in civilization without it." McKenney expressed concern as to whether or not the Indians would accept the modification of their former treaties to the proposed complete annexation.[8] Clearly his motives were idealistic to preserve the Indians from degradation and to prevent bloody frontier

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[7] Rodney Glisan, *Journal of Army Life* (San Francisco, 1874).

wars between untutored and rejected Indians and the onrushing white men.

Americans now believed that the Indian question would be solved by making every red man a land holding farmer and an educated devout Christian. Henry Rowe Schoolcraft (1793-1864) also spent many years observing Indians in their native homes before he reached a senior post in the Bureau of Indian Affairs. He published a vast amount of anthropological data with illustrations. He was more of a recorder than an analytical scholar. Schoolcraft also promoted the idea of transforming the Indians into replicas of the white citizens. (*Historical and Statistical Information* [1851-57]).

In accordance with the proposals of McKenney and Schoolcraft, the Society of Friends led public opinion during Grant's administration to a pacific Indian policy. The Quakers also assumed that the Indians would rapidly adapt to agriculture and would acquire with land ownership the highest blessings of the Christian civilization. These hopes were not quickly fulfilled and the bureaucratic administration proved inefficient. Then followed the books of reform-minded private citizens, who were inspired by the growing sense of social responsibility and sympathy for the impoverished and socially rejected minorities. Helen Hunt Jackson, the author of the moving novel *Ramona,* wrote also the *Century of Dishonor* (1881). In this biting criticism of the federal Indian policies, she relied chiefly on extracts from the available government publications. She exposed the recurrent breech of solemn treaties while the self-interested white settlers advanced year by year into the virgin lands of the natives. Cherokee history provided one of her examples. Later, socially minded churchmen and others, such as Gustavus E. E. Lindquist and Flora Warren Seymour, followed Mrs. Jackson's lead. Sentimental morality made their books popular. Yet their failure to provide practical solutions to the problems surrounding full integration of the Indian into American social life curtailed the influence of such books among many important groups.

The evolution of the professional anthropologist in the latter part of the nineteenth century paralleled the sweeping developments in the natural and social sciences throughout the world. For the detailed descriptions of the physical anthropology, social customs and possessions of the native Americans, the talented members of the Smithsonian Institution gave the lead to scholars in the universities and other research centers, their papers published as annual reports by the Smithsonian Institution. Charles C. Royce supplemented the record in government

[8] Thomas Loraine McKenney, *Memoirs: Official and Personal* (New York: 1846), Vol. II, pp. 106-36.

documents with testimony from American witnesses and survivors of the Indian removal in the 1830's. His summary of the tribal history appeared in "The Cherokee Nation of Indians." (1887).[9] James Mooney expanded the record by further analysis of the artifacts and documents in both the Cherokee and English languages in "Myths of the Cherokee (1900)."[10] This work was extended in collaboration with Frans M. Olbrechts in "The Swimmer Manuscript: Cherokee Sacred Formulas (1932)"

Frederick Webb Hodge summarized the available anthropological studies on all the Indian tribes in the widely used "Handbook of American Indians North of Mexico."[11] Another member of the Smithsonian Institution, John Reed Swanton, analyzed the social organization and beliefs of the Creek, Choctaw and Chickasaw Indians. He assembled much of his work in "The Indians of the Southeastern States" (1946), which contains an extensive bibliography. Swanton discussed the practices of the medicine men and other aspects of health in his report on "Religious Beliefs and Medical Practices of the Creek Indians."[12]

Anthropologists have continued to gather new information with modern recording devices for music and interviews. Among such scholars was Frank Gouldsmith Speck of the University of Pennsylvania. In 1907-11 he reported studies of the Creek and Yuchi Indians. Later, in collaboration with Leonard Broom, an expert student of dancing, and with native informants in North Carolina, Speck wrote *Cherokee Dance and Drama* (1951). Jack Frederick Kilpatrick and Anna Gritts Kilpatrick recently collaborated on many ethnological reports, including translations of additional Cherokee documents from Oklahoma in *The Shadow of Sequoyah* (1965).

About the time of the opening of Oklahoma Territory to pioneer settlement in 1891, descriptive and biographical compendiums fulfilled the local demand and answered the national curiosity. The books by D. C. Gideon and H. F. O'Beirne provided brief tribal histories and information about many residents in the Indian Territory. Luther B. Hill's *History of the State of Oklahoma* (1908) included some of Catlin's portraits of the southeastern Indians and extracts from government documents. The history of these Indian tribes as part of the State of Oklahoma was presented with increasing sophistication by

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9 Charles C. Royce in *Fifth Annual Report*, Bureau of American Ethnology (Washington, 1887).

10 James Mooney in *Nineteenth Annual Report*, 1897-98, Part I, Bureau of American Ethnology (Washington, 1900).

11 *Bulletin No. 30*, Bureau of American Ethnology, 2 Vols. (Washington: 1907-10).

12 *Forty-second Annual Report, Bureau of American Ethnology* (Washington: 1928).

Joseph B. Thoburn, Edward Everett Dale and Arrell M. Gibson. Muriel H. Wright's *A Guide to the Indian Tribes of Oklahoma* (1951 and subsequent printings) incorporated anthropological information with local historical and biographical data on sixty-seven distinct Indian groups. The suggested readings with each chapter and the terminal bibliography have proved their value to authors.

Emmet Starr was a physician who devoted his life to writing historical books. In his *History of the Cherokee Indians* (1921) selections from genealogical data, Cherokee laws and governmental records, Civil War enlistments, lists of elected and appointed officers, and student matriculation and graduation lists have been reproduced. John W. Morris and Edwin C. McReynolds provided a handy tool for the appreciation of time and place in their *Historical Atlas of Oklahoma* (1965).

The scholarly use of archival sources began early in the twentieth century and has continued until many have been cataloged and made available in reproductions. Formerly, workers experienced great difficulties in searching through the depositories. Annie Heloise Abel was born in Britain and educated in several areas of America. Without the frequent sectional bias, she presented much new information about the Indians in Oklahoma during the years leading to and following the Civil War in *The Slaveholding Indians* (3 vols., 1915-25). Her persistent search through the stored files of the Indian Office uncovered the valuable "Fort Smith Papers." These included correspondence of Douglas Cooper, John Drew, Elias Rector, Albert Pike, and other Confederate documents. The "Leeper Papers" were brought north by the raiding Unionist Delaware and Shawnee Indians after the Wichita Agency in western Indian Territory was attacked and burned in October 1862. Abel also used the *Official Records of the War of Rebellion* (1880-1901), the Arkansas newspapers and many other primary and secondary sources. However, she depended chiefly on the manuscript records in the files of the United States Indian Office, such as the registers, letter books, land files and emigration files.

James Henry Malone examined the local sources in Memphis and made a brief trip to the archives at the Library of Congress in preparation of his book *The Chickasaw Nation: A Short Sketch of a Noble People.* Rather than on the government documents, Malone depended heavily on Horatio Bardwell Cushman's *History of the Choctaw, Chickasaw and Natchez Indians* (1899), pamphlets from the Indian Rights Association, and the published works of John R. Swanton and Helen Hunt Jackson. Malone was born in Britain and adhered to the doctrine of the manifest destiny of the Anglo-Saxon race. He prac-

ticed law at Memphis and his general sympathies were similar to those of his fellow citizens. He stressed the early history of the Chickasaws from the time of De Soto through the origins of the settlement of Memphis and the record of its modern citizens. He never visited Oklahoma before he wrote *The Chickasaw Nation* (1922). Malone did not write a well-documented book, but he indicated the Memphis sources available for further study.

Grant Foreman played an outstanding role both in the location and analysis of primary documents and in his books about the Indians of eastern Oklahoma. An Illinois native and law graduate of the University of Michigan, Foreman's interest in history developed from his association between 1899 and 1903 with the United States Commission to the Five Civilized Tribes. Subsequently he practiced law in Muskogee, Oklahoma, as a partner of Judge John R. Thomas, whose daughter Carolyn he married. Foreman extracted extensively from the unpublished records in the files of the Office of Indian Affairs and the War Department, the Library of Congress, the missionary letters deposited by the American Board of Commissioners for Foreign Missions at the Harvard-Andover Theological Library, the Draper Manuscript Collection at the State Historical Society of Wisconsin, the Huntington Library, San Marino, California, the Ross family papers, the Ayer Collection, Newberry Library, Chicago, and the state archives of several southeastern states. He also thoroughly examined the published government documents, church histories, anthropological reports and other secondary sources. Before the relevant government records were microfilmed, Foreman transcribed many sections and deposited them at the Oklahoma Historical Society. Later he supervised the WPA project to conduct interviews throughout the state, compiled in manuscript in the 116-volume *Indian-Pioneer Papers* (1937-38, Oklahoma Historical Society's collections).

Foreman's works were well documented and written in a matter of fact style. In *Indian Removal* (1932) Foreman portrayed the events and treaties leading up to, and the details of, the forced migration of the five tribes from their established homes in the southeastern states to the western Indian Territory. The white men's pressure on the Indians for their lands began with the first colonial settlements, but at the time of Andrew Jackson's election, the Cherokee, Creek, Choctaw, Chickasaw and Seminole nations had developed far toward the standards of contemporary American civilization. In recent decades they had intermarried, attended schools and traded with the white citizens, but from the earliest contacts they had contested bitterly for their tribal domains. They still held rich lands, which the white farmers, speculators and political leaders of the nearby

state governments coveted. By "inalienable rights" these lands belonged to the white citizens of the United States, whatever previous colonial or national governments had decreed by solemn treaty.

The tale was unfolded systematically. The government publications and archival material were cited, as were the contemporary newspaper accounts. For many migrating parties there were no government agents or contractors, but only a few diaries and many bitter memories handed down to the descendents of the survivors of the "Trail of Tears." There were gaps in the account for not all the emigrants were literate. Many were too aged, feeble, hungry and frightened to record the details of current interest, and many lie buried by the wayside with their thoughts. Exactly how many died from natural causes or from starvation, epidemic diseases and injuries contracted during the journey will never be known. The estimate exceeded four thousand for the Cherokees which was one fourth of those migrating. The other tribes may have suffered proportionately. Foreman proffered no indictments, excuses or psychological analyses. Yet it would be difficult to lay the book down without a deep sense of sympathy for the native red man.

Foreman wrote two other books about the 1830-1860 period. In *Advancing the Frontier* (1933) he demonstrated the problems between the Mexicans, Texans and western Indians and the displaced southeastern Indians. This was an unusual frontier in America, for agricultural Indian tribes represented a new threat to the old ways of the nomads. The American soldiers in the new western forts and the white missionaries with the migrating Indians played important roles in the frontier readjustments, and they contributed much to the written records. The Reverend Abraham Redfield wrote on September 18, 1834 to his superiors in Boston that "fevers this season have been difficult to manage . . . Our place has been a sort of hospital . . . am very much worn down in trying to help them. Two physicians might have found constant employment here this season but they had not even one." Four of his own young children died after prolonged illnesses resembling typhoid fever. Other epidemics among the soldiers at Fort Gibson and elsewhere were of a rapidly fatal intestinal infection such as cholera.

Cherokees first settled in eastern Texas in 1822 but were attacked and driven from their lands by the Texans in 1839. Only destitute remnants of the Cherokee families were represented on September 29, 1843 at the Treaty of Bird's Fort on the Trinity River. There President Sam Houston's Superintendent of Indian Affairs treated with many wild tribes in Texas and the western plains. In those troubled years some of the south-

eastern Indians settled in Texas, others migrated to Mexico, but most remained or returned to the Indian Territory.

In *The Five Civilized Tribes* (1934), Foreman concentrated on the political and social advances of the new Indian republics between 1830 and 1860. Delegations of western Indians and agents made repeated journeys to entice Seminoles still hiding in the swamps of Florida to migrate. The slave and free negroes of the Seminoles led to legal difficulties with white claimants, kidnapping and bloodshed. The slave trade was profitable and at all levels of the Indian service many officers were corruptible. Foreman concluded that Chief John Ross had not made personal profit from his administration of the fund provided for the costs of the Cherokee removal in 1838-39.

Educational facilities, at least among the Choctaws and Cherokees, were better than in nearby states. Grade schools existing before the removal were quickly reestablished by the tribes, and the missions supported other schools. In 1842 the Choctaw General Council approved the use of tribal funds to maintain several academies for boys and others for girls. These have provided secondary education to many generations of Choctaws. The nationally supported Cherokee Male and Female Seminaries were opened with great ceremony in 1851. Unfortunately, shortage of funds forced these seminaries to close in 1856 until several years after the Civil War.

Fort Gibson was abandoned and turned over to the Cherokee Nation in September, 1857. From that year, however, the tensions everywhere in America were mounting. The Mississippi-born Territorial Governor of Kansas, Robert J. Walker, publicly called for the purchase of the Indian Territory and creation of a state. The same opinion was officially expressed by the Southern Superintendent of Indian Affairs, Elias Rector, who was concerned about "the intermeddling of missionaries . . . with the institution of slavery" among the full blood Cherokees. Albert Pike urged the Secretary of War in 1858 to reoccupy the Cherokee Nation, and Rector repeated this recommendation in his letter to the Commissioner of Indian Affairs in 1860, since both Pike and Rector were anticipating the interests of the southern states in the approaching conflict. Foreman concluded this book *The Five Civilized Tribes* with the remark that these Indians after their separation from the southeastern states "organized their governments . . . and pursued a course that earned for them the name of The Five Civilized Tribes."

Among his many other valuable books, only mention is made here of *Sequoyah* (1938). Foreman wrote a delightful account of the life of this remarkable untutored son of a white

man and a Cherokee mother. Sequoyah's invention of the Cherokee syllabary in 1821 resulted in the education of his nation through the efforts of many Indians and white men, including the Reverend Samuel A. Worcester and the intelligent Cherokee, Elias Boudinot. The contributions to the Oklahoma Historical Society during Dr. Foreman's lifetime and through the bequests of his wife, Carolyn Thomas Foreman, were outstanding. With other contemporary and surviving historians, Foreman supported *The Chronicles of Oklahoma* and published therein many original articles on the history of these Indians and their neighbors in this area.

Edward Everett Dale was born in west Texas and grew up in southwestern Oklahoma. He lost neither his zest for his boyhood environment nor his lucid prose style during his long training. In 1922 he earned a doctorate in history under Frederick Jackson Turner at Harvard University. For many years Professor of History at the University of Oklahoma, Dale had wide historical interests. Most of his original work concerned the cattlemen and western Indians, whose problems he interpreted with the youthful appreciation of a friendly Texas cowboy.

In *Cherokee Cavaliers* (1939), Dale and his associate editor Gaston Litton may have revealed sympathies for a cause and a hero, for the book was "reverently dedicated to the memory of General Stand Watie: patriot, soldier and statesman." The correspondence of the Ridge-Watie-Boudinot family began in 1832 before the removal from Georgia, continued through the split of the Cherokees into two national governments on opposite sides in the Civil War, and ended about ten years later when the Cherokee Nation still was binding its wounds. Dale and Litton included explanatory introductions to the chapters and used extensive footnoting.

Through the vividly unfolding tale of hope, frustration and death, the Waties demonstrated a constant faith and brave energy. Stand and Sarah Watie lost friends and fortune during the Civil War, while she lived in near poverty with a consumptive sister in Texas. The Watie sons and daughters apparently suffered from pulmonary consumption and all died young and childless before their mother. The value of the book lies not only in the revealing social history but in the documentation of the political and military events, in which the kindred of the Waties, their friends and their enemies were closely involved.

John Walton Caughey also extracted extensively from original documents in *McGillivray of the Creeks* (1938). Caughey received the B.A. from the University of Texas in 1923 and the doctorate in history from the University of California in 1928.

Soon thereafter he joined the staff of the University of California at Los Angeles where he served for many years as chairman of the Department of History. In writing this volume Caughey supplemented his researches by a period at the National Archives in Madrid. The book was based on the correspondence in 1783-93 between the mixed Scotch-French-Creek Indian Chief Alexander McGillivray and Governor Carondelet and traders at New Orleans. McGillivray served his nation well as a shrewd warrior and politician in dealing with the leaders of the Spanish, American and neighboring Indian tribes. Caughey's introductory historical essay, footnoting and bibliography were worthy of his established reputation as an historian.

Marion Lena Starkey took leave from the University of Connecticut on a Guggenheim Scholarship to complete *The Cherokee Nation* (1946). She had the advantage of the earlier works and personal advice of Grant Foreman. She studied other original sources but relied principally on *The Missionary Herald* (1818-38) and other papers of the American Board of Commissioners of Foreign Missions at the Harvard-Andover Theological Library. Miss Starkey later enhanced her reputation as the author of *The Devil in Massachusetts* (1949) and other books about New England.

In *The Cherokee Nation* the author reflected the opinions of William Penn, pseudonym of the Reverend Jeremiah Evarts, who was the Secretary of the American Board during the nationwide debates preceding the Cherokee removal. Miss Starkey also quoted from letters to the Board from the missionaries, Samuel A. Worcester, Daniel S. Butrick, Dr. Elizur Butler and Miss Sophia Sawyer, a school teacher. These four correspondents moved from Georgia to the west with the Cherokees. Butrick defended the leadership of John Ross. Miss Sawyer sympathized with all the persecuted Indians but especially the Ridge-Watie-Boudinot family. Butler, who was a physician as well as a parson, reported details of diseases in the emigration camps and in the western settlements. Worcester provided specific information about Biblical translations and other activities of his press in the Cherokee Nation. Miss Starkey also presented the Tsali legend which was still popular among the Cherokees residing in North Carolina. Tsali and his sons surrendered to General Winfield Scott to answer for a soldier's death during the removal. By this action they prevented a military campaign against their mountain neighbors. Miss Starkey's book brought out the greed and cruelty of the politicians, land sharks, whiskey traders and militia in Georgia and the whole United States. The author's style is charming, and she has provided a penetrating analysis of the problems of these people during the period of the removal.

Three other authors derived much from Grant Foreman's work. Edwin C. McReynolds (1890-1967) grew up in the Cherokee Nation and received all his education in Oklahoma. He taught history at the high school and college levels in Oklahoma, Kansas and Missouri. McReynolds joined the history department of the University of Oklahoma a few years before receiving the Ph.D. degree in 1946, and he retired as professor in 1960. In *The Seminoles* (1957) he covered the history of this offshoot of the Creek Confederacy from their early years through the Seminole Wars in Florida in the nineteenth century, the removal west, the establishment of a separate nation, and their final incorporation into the State of Oklahoma.

The book was written in an easily readable but adequately documented manner. McReynolds examined the archives and manuscripts in Washington, the Oklahoma Historical Society, the University of Oklahoma and elsewhere, and he acknowledged his indebtedness to Grant Foreman. The chapters on the removal and adjustment in Indian Territory up to the Civil War added little to his predecessor's publications except for the selective attention to the history of this tribe.

McReynolds presented vividly the struggles between the Union Loyalists under Chief John Chupco and the Confederate Indians under John Jumper. These factions, however, cooperated after the war with remarkably little friction during the difficult period of adjustment in the reduced reservation. The Seminole (Negroes) already enjoyed a status closely approximating the full citizenship then bestowed.

Chief Jumper's daughter married John F. Brown, who later was elected Chief and re-elected by his people despite charges that he used his official position to speculate in town lots during the land allotments. Brown's father, Dr. John F. Brown, served as a military surgeon in Florida, removed west with his Seminole wife, and served as United States physician to the Seminoles near Fort Gibson for several years. He died in 1867 in the Seminole Nation during a cholera epidemic.

McReynolds also gave an account of the lynching in 1897 of two prominent Seminole men after the murder of a white woman in the Seminole Nation near the Oklahoma Territorial border. The event caused horror through the United States and great tension in the Seminole Nation and the bordering territorial towns. The conspirators were found guilty in a trial over which Judge John R. Thomas of Muskogee presided.

Grace Steele Woodward interrupted her college training at the University of Oklahoma in 1920 to marry, but in later life a journalism course at Tulsa University inspired her to write. In

preparation for *The Cherokees* (1963), Mrs. Woodward visited many depositories, but her most important source was the "Ross Papers" in the Gilcrease Institute in Tulsa. She selected many fine illustrations from originals at the Gilcrease Institute and Philbrook Art Center in Tulsa and at other locations in Oklahoma and elsewhere. She dealt with Cherokee history from De Soto's journey in 1540 to recent times, but with little emphasis on the post-Civil War period. No fresh information on diseases, health and social conditions was included. Although written from an attitude sympathetic to the majority of the Cherokees under John Ross, the author avoided a strong bias.

Angie Debo was born in Oklahoma Territory the year after it was opened. She graduated from the University of Oklahoma in 1918 and received the M.A. at the University of Chicago in 1924. Inspired, she said, by Professor E. E. Dale at Oklahoma, she began her writing career while at West Texas State Teachers College. She returned to the University of Oklahoma for the Ph.D. degree in 1933. For many years she taught history at Stillwater in the institution which became Oklahoma State University. Miss Debo received the Dunning Prize of the American Historical Association for *The Rise and Fall of the Choctaw Republic* (1934). For this and her later books Miss Debo did extensive archival research and made good use of Grant Foreman's transcripts, files and interviews (*Indian-Pioneer Papers*).

Her first volume covered the tribal history of the Choctaws from the earliest white contact until after their amalgamation into the State of Oklahoma. She covered the political and military history and also some aspects of the social history. There were brief references to the prevalence of tuberculosis, the high infantile mortality rate, and the activities of the Medical Board in relation to the licensing of doctors and the control of smallpox in the later years of the nineteenth century. The author's bias appears to favor the full blood Choctaws rather than the mixed blood group who supported the allotment program of the Dawes Commission.

Debo's *The Road to Disappearance* (1941) provided a similar historical account of the Creek people. In colonial times they headed a confederation of related tribes and occupied large tracts in the present states of Georgia and Alabama. With political wisdom and military power they held their lands in a delicate balance between the English and French, rivals which were replaced by the Americans and Spanish after the War of American Independence. The author recounted the Creek customs and conditions of life as they accepted some of the practical advantages introduced by the European traders. These Indians erected their defenses vigorously against military attacks, but the measures

proved ineffectual against the indirect onslaught of the vices and diseases and the political and economic greed of the Anglo-Americans.

For the periods after the harrowing removal west, Miss Debo provided numerous details from records of the Creek central government and officials. She quoted less from the reports of the federal Indian agents and other politicians than from the writings of the missionaries and teachers. Among these were the Presbyterians, Dr. Robert M. Loughridge, W. S. Robertson and his wife, Ann Eliza Worcester, who worked in the Tallahassee School before the Civil War and thereafter until the New Testament was finally translated into Creek in 1892.

The Creek Nation was split into factions on the Union and Confederate sides in the War Between the States. Subsequently, the Texas trail cattle drivers, railroad builders, intruding white settlers and frontier desperados raised almost insurmountable difficulties. Still more troublesome were the problems created innocently by their own "towns" of freed Negroes and the opposing white-Indian mixed bloods who disagreed with the Indian forbearance and racial tolerance. Although the Creek leaders fought among themselves, they united as long as possible in opposing the federal government decisions which alloted their lands in severalty under the Dawes Act.

The author described briefly the changing social customs and practices of the official priests who used concoctions and chants for the lovelorn and the diseased as late as the 1875-90 period. The Creeks still suffered from the debilitating effects of malaria, and infant mortality was high. "Every winter pneumonia caused many deaths, the result, as Dr. M. P. Roberts thought, of poor housing and inadequate clothing." Debo suggested that unrecognized trachoma caused the frequently mentioned "sore eyes." White physicians in the railroad towns operated drugstores and practiced medicine under licenses granted by the chief. The full blood Indians trusted vaccination against smallpox but otherwise seldom consulted the white doctors.

Miss Debo closed this revealing and sympathetic history of the Creeks with a passage written by Pleasant Porter, who was their chief from 1899 to 1906:

> The vitality of our race still persists. We have not lived for naught. We are the original discoverers of this continent, and on it first taught the arts of peace and war, and first planted the institutions of virtue, truth and liberty . . . We have led the vanguard of civilization in our conflicts with them [the Europeans] for tribal existence from ocean to ocean. The race that has rendered this service to the other nations of mankind cannot utterly perish.

In many ways *And Still the Waters Run* (1940) was Miss Debo's most provocative book. She surveyed the events leading

to and resulting from the allotment of the lands of the Five Civilized Tribes through the twenty-five year period of federal government "trust" administration. Although the legislation may have been introduced from humanitarian principles, the greedy grafters, corrupt state and federal politicians, conspiring probate officials and speculators soon acquired most of the land titles from the poorly educated Indians. Sometimes enterprising mixed bloods joined the whites in the easy pickings from the guardianships of minor allottees, other court-decreed incompetents and ignorant full bloods. A few Indians acquired great wealth from oil royalties, but they were usually victimized and lost out because of their own inexperience and intemperance.

Reforms in state probate laws and new Congressional acts, such as the Partition Law of 1918, proved of no lasting benefit to those whom they were designed to protect. In their many visits through 1930, the Congressional Committees never tried to learn the wishes and needs of the Indians themselves, but usually the members spent their time with the leaders of the business community. Miss Debo briefly discussed the Oklahoma Indian Welfare Act of 1936, but its long range effects were not then clear.

The lessons from this documented account of the weakness of the government bureaucracy in the face of human greed and cunning may be applicable in many countries at both the present and future times. The reader might be moved to recommend *And Still The Waters Run* to all government officials with responsibilities for other men's property, especially when minority races or foreign nations are involved.

Its unique history makes Oklahoma a richly endowed state, for here we find Cherokee, Choctaw, Creek, and other Indian tribes whose ancestors were present on the first frontier of the Europeans in the southern colonies. These tribes were moved west across the Mississippi in the 1830's to a new frontier that became known as the Indian Territory, the boundary lines of which were finally established as those of present Oklahoma. After the Civil War, other tribes from different parts of the country were also removed here and settled in this region. Beginning in 1889, the central and western parts of Indian Territory were opened to settlement by pioneers who made the "run" at different times for homestead claims in these areas. During this period in history, the western part, Oklahoma Territory, is referred to as "the last frontier." Events followed in rapid succession. Before another generation was born, old Indian Territory—the last domain of the Five Civilized Tribes—and new Oklahoma Territory were joined to form the state of Oklahoma. The Indian people participated in making this history, and

many full blood and mixed blood Indian citizens now share in the state's rich heritage. However, there are still problems here among groups of American Indians, which only time and education can solve. Reflection on past errors made in the history of Indian affairs may point out a way for honest and efficient conduct of newly suggested social and economic programs.

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NOTES AND DOCUMENTS

Index to the Chronicles, 1968

The Annual Index to *The Chronicles*, Vol. XLV, 1968 compiled by Mrs. Rella Looney, Archivist, is distributed free to those who receive the quarterly magazine. Orders for the Annual Index should be addressed to the Administrative Secretary, Oklahoma Historical Society, Historical Building, Oklahoma City, Oklahoma, 73105.

Belva Anne Lockwood: Friend of the Cherokees

Introduction

From manuscript notes in the Editorial Office by the late Carolyn Thomas Foreman, well-known contributor to *The Chronicles* for many years, these on Belva Anne Lockwood are presented for the first time in this issue of the magazine.

Mrs. Foreman expressed surprise that the Cherokees had a brilliant advocate in Mrs. Lockwood in 1900 when she sponsored a bill before Congress to prevent further encroachment upon the territories of the American Indians in North Carolina. As a young girl, Mrs. Foreman remembered seeing the celebrated Mrs. Lockwood going about Washington and always regarded her with wonder. Mrs. Foreman's surprise came in reading a column of history about Mrs. Lockwood.[1]

—The Editor

BELVA LOCKWOOD FOR PRESIDENT!!!

She was small and slender and very handsome in her new blue gown as she stepped onto the roughhewn platform. Above her, flags snapped against the summer sky. Before her, the lady delegates of the Equal Rights Party stood up and cheered.

Belva Anne Lockwood accepted their cheers and their nomination, to become in 1884 the woman who ran for the Presidency of the United States.

A gallant choice she was, too. Defying massive prejudice, she had fought for and won a college education, a law degree—the first ever given an American woman, and, finally, the right to plead cases before the Supreme Court. (Where, among other triumphs, she won a $5,000,000 settlement for the Cherokee Indians.)

She didn't expect to be President; that wasn't her point. She would run to make America conscious of women's right to political equality. And run she did. Ridiculed in the press, hooted on the street, even de-

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[1] Advertisement, a public service, on U. S. Savings Bonds in *Holiday* for January, 1958, page 124.

(Print from *Holiday*, January, 1958)

BELVA LOCKWOOD

First American woman to win a law degree and the right to plead cases before the U. S. Supreme Court.

nounced by fellow-suffragist Susan Anthony, she nevertheless received 4,159 popular ballots from six states.

More important, of course, she dramatized, as no one else had, women's battle for the right to vote.

Before Belva Lockwood died, her fight was won and America had gained the strength of millions of new "first class citizens," her women. That strength today mightily reinforces the living guarantee behind one of the world's soundest investments—United States Savings Bonds . . .

This attorney, Belva Anne Bennett Lockwood, was born at Royalton, New York on October 24, 1830, and educated at Genesee Wesleyan Seminary. She was married to Uriah H. McNall in 1848, and upon his death in 1853, she taught in various schools.

A biography of Mrs. Lockwood states:[2]

Finding that she received less salary than a man with a degree, she returned to Genesee Seminary, where she was graduated in 1857, and resumed her teaching. After the Civil War she moved to Washington. D. C., where she was graduated from the National University Law School in 1875 and admitted to the bar. In 1868 she had married Dr. Ezekiel Lockwood. Following his death in 1877, Mrs. Lockwood became prominent as an active worker in the woman's suffrage movement, securing the passage of a bill to permit women to practice before the United States Supreme Court in 1879.

At the same time she was active in temperance and pacifist movements. In 1884 and again in 1888, she was nominated by the National Equal Rights Party as candidate for the presidency of the United States. In 1889, Mrs. Lockwood was a delegate to the Universal Peace Congress in Paris, and in 1892 was a member of the International Peace Bureau in Berne, Switzerland. She was commissioned by the State Department. in 1896. to represent the United States at the congress of charities and corrections at Geneva.

Mrs. Lockwood was elected president of the Women's National Press Association in 1901.

This celebrated woman lawyer was attorney of record in the case of the Cherokees against the United States Government, which won them a judgment of $5,000,000. In 1903 Mrs. Lockwood prepared an amendment to the statehood bill before Congress, which granted suffrage to women in Oklahoma, Arizona, and New Mexico.

She was an eloquent orator and an unhesitating fighter on behalf of the ideals in which she believed. She was the first woman to argue cases before the United States Supreme Court. She died in Washington, D. C., on May 19, 1917.

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2 *Collier's Encyclopedia*, 1955, Vol. 12, pages 463, 64.

"Trail of Tears" Drama

On Saturday, June 24, 1967, the Cherokee Tribal Council dedicated at Park Hill the Phase I of its bold and dynamic Cultural Center Program on exhibit in Northeastern Oklahoma. This first phase was the re-creation of a 1700 A.D. Cherokee Village. This living village "Tsa-La-Gi" has been highly successful.

That dedication was hardly adjourned when Cherokee leaders immediately turned their attention to Phase II. This second phase envisioned an outdoor amphitheater suitable for the portrayal of a drama telling of the Trail of Tears.

Phase II has been completed ahead of schedule and the formal dedication of the amphitheater, with the initial production of the drama, was on Friday, June 29, 1969.

The evening was exciting and brought to Park Hill many Oklahoma leaders. Local officials were honored by the presence of the Governor of Oklahoma, Honorable Dewey F. Bartlett, the Speaker of the House of Representatives, Rex Privett, and the President Pro Tem of the Senate, Senator Finis Smith.

The "Trail of Tears" drama was written by the noted playwright, Kermit Hunter, and the featured music of the evening was by the late, well known American composer, Jack F. Kilpatrick. The master of ceremonies for the evening was Congressman Ed Edmondson, of the Second Congressional District, Oklahoma.

The evening opened with a dedication dinner hosted by Dr. H. E. Garrison, President of Northeastern State College and the Cherokee National Historical Society, Inc., in the College Union ballroom. Representative Edmondson, as toastmaster, called upon the Vice Chief of the Cherokee Nation, William Glory, for the invocation, which he rendered in Cherokee. Following a memorial service to Dr. Kilpatrick by his son, Alan Kilpatrick, Janice Sue Coons, "Miss Cherokee," made a special presentation to the state's first lady, Mrs. Dewey Bartlett. Remarks by Dr. Kermit Hunter concluded this portion of the program.

The first night group then reconvened at the Tsa-La-Gi Theatre to participate in the formal dedicatory ceremonies of the amphitheater. The drama "Trail of Tears," was the highlight of the evening—a vivid and dramatic portrayal of the western migration during the Removal Period of the Cherokee Nation of Indians.

Unfortunately, the principal Chief of the Cherokees, W. W. Keeler, could not be present because of compelling personal rea-

sons, but everyone present saw to it that full credit and tribute was given to Chief Keeler for his major contribution in making the Cultural Center program a reality.

Following the drama, Oklahoma Northeast, Inc., together with its President, James C. Leake, of Muskogee, hosted the first night audience at the Restaurant of the Cherokees for a champagne party to meet the playwright, the staff and the cast of the Drama.

Friday, June 27, 1969, will be a day that will be difficult to equal in the history of the Cultural Center program of the Cherokees.

—George H. Shirk

From *The Indian Chieftain*

History of Vinita

The Indian Chieftain, "Vinita: Review of its Early History and the Bustling City of Today. Location Attributable to an Attempt at Town Lot Speculation—Tragic Incident Illustrative of the Times, Which Have Given Place to Peace, and Prosperity—Views of Public and Private Buildings." —Pub. January 27, 1898, Vol. XVI, No. 22, page 1.

A generation ago, or to be more explicit, in the fall of 1869, there might have been seen struggling through the rank underbrush, or toiling through the tall prairie grass, a party of men locating a route for a railroad along the line now traversed by the Missouri, Kansas, & Texas, south of the Kansas line, and headed southward toward Texas and the Gulf. It was a fine autumn day in the early part of October. The green and gold and purple of the leaves of the timber that scantily skirted the streams made a pretty picture in the soft, hazy sunshine. The party scrambled up the south bank of Cabin Creek and strolled leisurely up onto the more elevated prairie and struck camp, or rather came up with the wagons and the outfit which had preceded them, tho' by a circuitous route, and had gone into camp earlier in the afternoon. The gang of men were under instructions to locate a station thirty miles or thereabouts from the state line and their record of chain lengths told them that they had reached the place. The circumambient line of timber on the north and east, following the undulations of the stream, and stretching away to the southward, the long line of Indian summer clouds that melted away before the evening sunset, the magnificent adjacent country, all tended to fix the conviction upon those interested that a finer location could not be found for a station and by a thriving town.

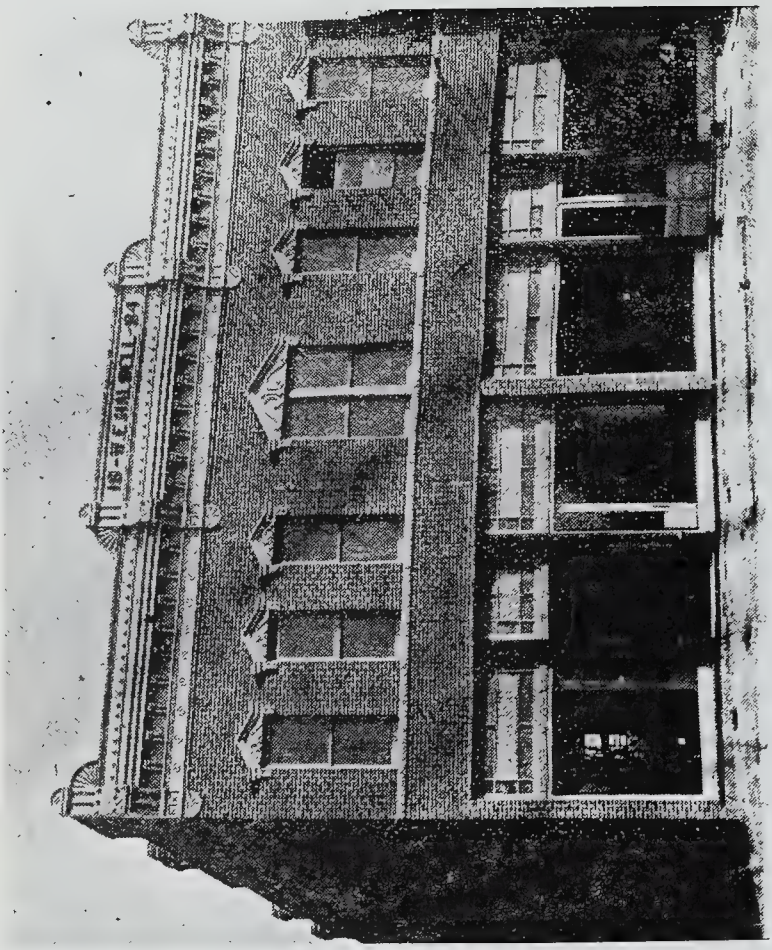
Such were some of the preliminaries to the birth of Vinita, but the fates deemed it not wise to locate the town on the spot

first decided on by the advance agents of a great railroad. The survey of the Atlantic and Pacific by mutual agreement crossed the "Katy" at this point, and everything ran along smoothly till the former roadbed was built to within a mile and half east of this present townsite. Then, a very remarkable thing happened and the townsite was removed between two suns, very much to the disgust and even armed resistance, of the "Katy."

The elder E. C. Boudinot, Dr. Potson, Johnson Thompson and Col. J. M. Bell arranged with the Atlantic and Pacific people to turn their line, abandon the old survey and cross the "Katy" where the crossing now is. In the meantime Boudinot and his friends fenced something like two miles square with posts and lumber and undertook to "own" the entire townsite and more too. The Atlantic and Pacific company came with camps and baggage in the night-time with the huge iron railroad crossing loaded on a wagon and proceeded to place it across the track of the other line. The "Katy" people, aroused and indignant, came with an armed force and tore up the crossing and stood guard day and night, slowly dragging trains back and forth to prevent the other road from making headway.. The courts were finally appealed to and an injunction granted, and the road pushed westward to the crossing of Big Cabin.

Boudinot's scheme to hold the townsite did not succeed. His fencing was torn down and destroyed, and the Cherokee authorities, through the town commissioners, surveyed and platted the present townsite and named it Downingville, but Boudinot had the satisfaction of giving it a name which superceded Downingville, and from the start was the popular one, and had the advantage of the sanction of both railroads. Boudinot named the town Vinita, in honor of Vinnie Ream, the sculptress whom he had known and loved in Washington City while an exile from his home and people on account of his premature notions as to allotment of Cherokee lands.

The town was platted and the first lots sold in February, 1872. Martin Thompson was the first to bid on and purchase a lot in the town. At first, after the coming of the 'Frisco, the town was built principally of tents and board shanties, occupied for the most part by whiskey peddlers and toughs. Brawls and fights were frequent and now and then a man would be killed. Many thrilling stories and incidents of this period of the town's history could be related. An incident, tragical enough, is told of the killing of two men early in the seventies. A dissolute and reckless white man occupied a house on the east side, on the lot now known as the Aunt Nancy Dameron place. He lived with a woman not his wife, and gambled and peddled whiskey for a livelihood. One day, two young Cherokees went down to the



(Print from *The Indian Chieftain*)

POST OFFICE
VINITA, INDIAN TERRITORY, 1898
This building was erected by W. E. Halsell, 1884

house to get whiskey; the man from some unknown cause refused to let them have the liquor—possibly the supply was exhausted. At any rate, the Cherokees got into a row with the man, which ended in one of the Indians getting his skull crushed by a blow with a heavy iron poker, in the hands of the white man. The other Indian left, and the body of the injured man lay insensible all day in a coal shed adjoining the house. Late in the afternoon, a brother of the wounded Indian came into town and learning of his brother's misfortune went and moved him into the house now standing immediately east of the Presbyterian church. Together with some friends he then took the white man into custody and kept him in the building where the wounded brother lay in a dying condition. About 4 o'clock next morning the young Cherokee died. And just at the dawn of the summer morning, as the birds in the dripping maple trees had begun to chatter, and the faint, lazy tinkle of cow-bells could be heard, amid the drowsy drumming of the prairie chicken, a man who still claims Vinita as his home, saw the brother of the dead man march the white man out into the back yard, and pushing him from him with the muzzle of his Winchester shoot him dead in his tracks. Thus another act of the drama of the "wild and wooly west" was finished.

For ten years there was a slow gradual growth. A few hundred people had settled here at the crossing of the two railroads, few town lots had been sold, and the property was not in demand—at least the kind of property embodied in a townlot. Ten years later, however, the 'Frisco was pushed westward and the struggling little city of Vinita became, for the time being, the base of supplies and added some hundreds to its population. A steady, though not rapid, growth set in then that has continued to the present. In some portions of the town thickly built and populated now, hay was cut in the summer a few years back, but the Cherokee nation sold all its lots long ago.

Vinita, like most smart towns, is ambitious of becoming a large city, and there are few residents of the place who do not confidently expect at no distant day, a town of ten thousand or more population. It is the home of more of the wealthy class of stockmen — the "barons," — than any other place in the territory. The culture and refinement that good circumstances usually bring are not wanting in Vinita. In recent years a number of residents of the town have built elegant new homes, a few of which are shown on this page, and others have added elaborate and costly furniture as their circumstances enable them to indulge in the luxuries of life in the city.

Vinita, on account of its central location, in the heart of the great prairie section of the Cherokee nation, fed by the

finest and most productive agricultural lands in the whole Indian Territory, and owing to the splendid health of its people, its schools and colleges and numerous other advantages, aside from the best business point within a radius of one hundred and fifty miles, is becoming more and more a city of beautiful homes.

Indeed, there is now springing up a perceptible rivalry among our citizens as to who shall possess the most attractive residence. While it is distinctly an Indian town, its population consists very largely of the mixed blood element, the thrifty, energetic, ambitious class of Indian citizens who know and appreciate the very best of everything. Many of the best farmers and ranchmen of the nation have located here in order to educate their children at the schools and to enjoy the privileges of church, and of social organization. The existence of these conditions among those who are distinctly Cherokee citizens has been the means of attracting a large and very desirable class of people from the states who have located here for business, and for the practice of the various professions. The town of Vinita is practically free from the race prejudice so prevalent in some other towns in the Indian country. The establishment of a United States court has wrought a mighty change in the sentiment of the people, and has been the potent means of breaking down whatever barriers may have existed between the two elements of citizenship. Side by side upon the juries, and on equal recognition in all the relations of American citizenship, has been a beneficial revelation to many of the Indians, and has dispelled in a measure the imaginary differences that never did exist in reality. Each year since the first organization of the United States court in the Indian Territory, in 1889, has witnessed increased jurisdiction and widening of its scope and usefulness. Vinita now has a fullfledged court running in full blast and with possibly one exception has the most extensive business, both civil and criminal, of any court in the territory.

Every line of business is represented by wide-awake, enterprising business men who are certainly above the average in financial standing. Business failures have been few and far between, and not often of great consequence. The most of the business houses of Vinita, as the pictures in these columns disclose, are modern style brick structures, commodious and well arranged, and with fine plate glass fronts where may be seen displays as elaborate and artistic as in any city ten times larger.

Our merchants draw trade from a large area of rich and very fertile country. The constant stream of wagons coming into town loaded with all manner of products of the farm, and the ranch, and the coal mines, bespeak the character of the town and its resources with far greater force than any ordinary pen

(Print from *The Indian Chieftain*)

CATHOLIC CHURCH
VINITA, INDIAN TERRITORY

The Roman Catholic Church of the Holy Ghost was founded at Vinita by Father William H. Ketcham, Missionary. The Church building along with its residence and mission school was erected in 1894.

can describe. The crowded streets from morning till night with every manner of people passing to and fro bent upon some business errand, tell plainly and unmistakably of an extraordinary fine business town.

The merchants long ago adopted the universal cash system, and it prevails, practically, in every business enterprise in the city. Quick sales, but small and sure profits, is the idea, and is the secret of many a man's success, and speaks volumes for the solvency of individuals and of cities.

Edward Everett Dale Hall

Dedicated at the University of Oklahoma

The new Social Sciences Center at the University of Oklahoma was named Edward Everett Dale Hall June 13, 1969, by the OU Board of Regents in honor of long-time OU teacher Dr. Edward Everett Dale, George Lynn Cross research professor emeritus of history.

Dale, eighty-nine, has been a member of the OU faculty since 1914. The dean of Western historians, he is recognized throughout the world for his research, lectures and writings on the American West.

In recommending that the regents name the building for Dale, OU President George L. Cross said, "His stature as a scholar has lent enormous prestige to the University, and he is among those members of the faculty who were primarily responsible for the development of the University's excellent programs in the social sciences.

"No man who has been connected with the University in the field of the social sciences deserves this honor more," Cross added. "Furthermore, his name on the building would add distinction to the structure itself.

"Dr. Dale has given almost all of his long life to this university. He served effectively and unselfishly as a teacher, departmental administrator, and research scholar. His students are scattered across the length and breadth of this land. His faith in the University and Oklahoma has never dimmed."

Edward Everett Dale Hall, which is expected to be completed this fall, is being constructed at the corner of Elm and Lindsay Streets south of Copeland Hall, the Journalism Building. A two-story classroom unit will be connected by a corridor to a nine-story unit which will contain offices, seminar rooms and research facilities. Dr. and Mrs. Dale live at 920 Elm St.,

about a block south of the $3 million building which will bear his name.

In his recommendation to the regents, Cross noted that there is "a symbolic reason for naming the Social Sciences Center after Dr. Dale. It is high-rise and clean-cut architecturally, which is characteristic of Dr. Dale's tall, erect posture—a man who looks upward and who has retained faith in the university, the state, and his fellow man."

Cross also pointed out that Dale's life "is vivid testimony of the indomitable spirit which breathed statehood into Oklahoma, weathered the cruel dust bowl and depression days, and tapped the vast petroleum sources to bring wealth to the state."

Much of the knowledge of Western Americana which Dale imparted so skillfully to generations of students was gained from personal experience. He was born in a log house near Keller, Texas, in 1879. When he was a small boy, his family moved to the Cross Timbers country in north Texas, and a few years later they moved to what is now Oklahoma.

About the turn of the century he and his brother engaged in the cattle business, but financial reverses forced them to end their saddle-back career, and Dale began his work as an educator. After four weeks of study at Cloud Chief, then the Washita County seat, he taught on the Kiowa-Comanche reservation for two years and then was superintendent of several small schools.

He was twenty-six when he decided to complete his high school and college education. Alternating between periods of superintending and studying, he was graduated from Central State Teachers College in Edmond in 1909 and received a bachelor of arts degree from OU in 1911.

He was offered a $250 scholarship at Harvard University, where he studied under Frederick Jackson Turner, master historian of the American frontier. After receiving a master of arts degree from Harvard in 1914, Dale became an instructor at OU.

Turner's knowledge of the American frontier continued to magnetize Dale's interest, and he returned to Harvard in 1919 on sabbatical leave and obtained his doctor of philosophy degree in 1922.

He was head of the OU Department of History from 1924 to 1942, and he has served as a trustee for the university's Frank Phillips Collection in Southwestern History since he helped establish it in 1928.

In 1944 he was one of the first four faculty members named to research professorships in recognition of distinguished con-

tributions to knowledge.

Widely known as a master teacher, Dale brought the Old West to life for countless OU students. Following his retirement in 1952, he was a Fulbright lecturer at the University of Melbourne in Australia, and he also served as a visiting lecturer in history at the University of Houston.

Throughout his career he has accepted hundreds of invitations to lecture at other colleges and universities and before civic groups and the nation's leading historical societies.

Dale is the author of more than twenty books as well as numerous articles for professional journals and encyclopedias.

—Report, Public Information, O.U.

BOOK REVIEWS

Oklahoma Archaeology: An Annotated Bibliography. By Robert E. Bell. (Norman, 1969, Pp. 99. $1.95.)

Too long neglected, archaeology in Oklahoma is at last arriving at the level of public interest that it has long since deserved. Oklahoma is rich in varied items of great archaeological importance; and perhaps one reason for the sparsity of public interest has been the relative inaccessibility of reference material. Dr. Robert E. Bell of the University of Oklahoma has done much to bring archaeology to its place of rightful importance in the Sooner State. The volume is an excellent quick reference, for research student and lay buff alike, in any search for needed reference material. As stated by Dr. Bell, "the volume will not only serve in answering specific questions, but also to use as a reference tool."

Using the bibliography as a key to available material, we are at last "afforded an opportunity to delve into literature covering the past 10,000 or 11,000 years of human occupation in Oklahoma as recorded by archaeological work." The Stovall Museum and the University Alumni Development Fund are to be commended for their cooperation in making possible this publication.

Cherokee Spirit Tales. Jack Gregory and Rennard Strickland, Editors. Illustrations by Willard Stone. (Indian Heritage Association, Fayetteville, 1969. $10.00.)

As with all primitive people, the ancient Indian filled his life with an abiding belief in the strange, the occult and the supernatural. To him, the spirit was not exclusively for human beings, but every living thing, whether an animal or a tree, shared with man the possession of a spirit.

The ancient Cherokee were no different; and to them life "was guided by a deep faith in supernatural forces that linked human beings to all other living things." Legends are enduring things, and pass as they do by word of mouth down through the generations, they become part of a heritage destined to survive in sort of a timeless limbo.

Stories as to why the possum's tail is bare, why the turtle has red eyes, why a turkey gobbles, become delightful pieces in this collection of the legends, myths and spirit tales of a great people.

The volume joins those masters, Aesop and Hans Christian Anderson; and the individual stories make those tales of the trolls of Norway, the Nibelungen of Germany and the leprechauns of Ireland seem closer to home.

Each separate story is accompanied by an illustration by Willard Stone. The Edition is limited to 1,000 copies with each copy numbered and signed by the editors and illustrator. The Indian Heritage Association is to be commended for the preservation of the heritage of the Cherokee people.

The Writings of J. Frank Dobie. A Bibliography by Mary Louise McVicker. (Lawton, 1969. Index. Pp. 258. $7.95.)

J. Frank Dobie stands as a giant among those who have served as a chronicler of the lore, the legends and history of the Southwestern prairies and deserts. As said by Harry E. Ransom, Chancellor of the University of Texas: "His tongue and his pen were often tuned to the Texas range, the Mexican talemaker, and rhythms in his own head. By these means, he brought substance to what might otherwise have been pages of borrowed provincialism smeared with local color."

By any standard, he was a prolific writer. If such could be all assembled in one place, his complete writings would make a sizeable library on his beloved Southwest. In addition to some 20 full length volumes of which he was the author, over 100 other volumes, excluding of course, magazines and newspapers, contain his contributions.

The size of his work and the measure of his genius is reflected by the circumstance that an entire volume is required to merely list the sum total of his effort. The bibliography is arranged chronologically and in five classifications: books; books wherein he is a contributor; magazine articles (over 500 listings!); pamphlets and reprints (he contributed to the *Chronicles* as early as 1924!) and his Sunday newspaper column (over 1200 columns!).

Countless hours of effort obviously have gone into the assembly of this much information. The bibliography is truly a labor of love and affection. The Museum of the Great Plains is due the gratitude from all lovers of the Southwest for the publication of this volume.

—George H. Shirk

Oklahoma City, Oklahoma

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

July 24, 1969

Members of the Board of Directors of the Oklahoma Historical Society met at 10:00 a.m. on Thursday, July 24, 1969 in the Board Room of the Oklahoma Historical Society Building, Oklahoma City, Oklahoma. In the absence of President George H. Shirk, 1st Vice-President H. Milt Phillips presided over the meeting.

Members in attendance were: Henry Bass, Mrs. George Bowman, Joe Curtis, Dr. E. E. Dale, W. D. Finney, Dr. LeRoy H. Fischer, Nolan Fuqua, Dr. A. M. Gibson, Morton Harrison, Joe McBride, W. E. McIntosh, R. G. Miller, R. M. Mountcastle, Fisher Muldrow, Milt Phillips, Genevieve Seger, and Merle Woods.

Members absent were: Lou Allard, Bob Foresman, Judge Robt. Hefner, John Kirkpatrick, Dr. James Morrison, Earl Boyd Pierce, and George H. Shirk.

Dr. Fischer moved that all members be excused. Second was made by Fisher Muldrow and the motion was accepted.

In his Administrative Secretary's report, Mr. Fraker stated that twenty-nine new annual members had made application along with the acquisition of considerable gifts. Among the new gifts was an addition of books and manuscripts to the Whipple Collection. Mr. Fraker suggested that special recognition be made in *The Chronicles of Oklahoma* for this additional collection. Upon a motion by Miss Seger, Mr. Fraker's suggestion was approved. Dr. Fischer moved that the new members and gifts be accepted. Mr. Fuqua seconded the motion which passed the Board.

Dr. Dale asked the Board of Directors to give recognition to Mrs. Dale for the gift to the Oklahoma Historical Society in April, 1968, of some personal items used by her grandfather during his medical career in Indian Territory. It was unanimously agreed by the Board that Mrs. Dale should be given special thanks for these items and notified by the Administrative Secretary.

Mr. Fraker made the following reports on various historic sites:

Erin Springs Mansion: A new electric pump to be installed, a contract let for the interior work, roof work yet to be done.

Sod House: Getting ready to expand to the same size on the south and east as is on the west.

Chickasaw Capitol: Moved from original site, is now located on Courthouse grounds at Tishomingo. A protective cover building will be built in the near future.

Jim Thorpe Home: Dining room furniture for the house has been secured. Site not open to the public.

Fort Washita: Everything in good shape. Reflooring being done in the old house. Mr. Fricke hopes to work out a deal so that a couple will live in the house and protect the property from vandalism.

Old Chief's House: The restoration work is nearly finished. A black topped road is to be built to the house.

Peter Conser Home: Quite a lot of work still to do on this particular site.

Sequoyah's Home: Everything in good shape.

Foreman Home: Deed to this home to be completed by no later than the middle of September.

Mr. Fraker stated that two plaques will be erected in the near future due to efforts of the Oklahoma Historical Society. They are to be erected in Tulsa, depicting Tulsa as the Oil Capital of the World, and Norman, designating where the first classes of the University of Oklahoma were held.

In her Treasurer's Report, Mrs. Bowman stated that the tour account shows a balance of $482.15. Mr. Muldrow moved that Mrs. Bowman's report be approved. Dr. Fischer seconded the motion, which passed.

Mr. Fraker reported that approximately ten sites now in the hands of the Industrial Development and Park Department should be under the supervision of the Oklahoma Historical Society.

Mr. Muldrow asked if anything had been done on the Wigwam Neosho site recently. Mr. McIntosh, Historic Sites Committee Chairman, answered "No."

It was announced by Mr. Muldrow that the plaque being furnished in cooperation with the Oklahoma Historical Society at Norman, is to be dedicated in the not so far future.

In regard to the recent report of the State Auditor, Mr. Shirk had written a letter to that office expressing the views of the Oklahoma Historical Society which conflict with the views of the Auditor's office. Mrs. Bowman read portions of this letter to the Board Members and they unanimously agreed with the ideas expressed by Mr. Shirk.

Mr. Jack Wettengel, head of the newspaper and microfilming departments, gave a brief report on the progress of his departments. He stated that two-hundred, thirteen rolls have been turned out by the microfilming crew during the last quarter. He said a third operator has been hired to work from 3:00 p.m. until 9:30 p.m., Monday through Friday and five and one-half hours on Saturdays. Mr. Wettengel said that this should increase production by 50 percent

Mr. McBride reported that the spring issue of *The Chronicles of Oklahoma* were mailed out as scheduled and the summer issue is now on press.

Mr. Curtis remarked that he could add nothing but praise to the fine report made on the Library in *Along The Trail.*

Mr. Muldrow commended Dr. Gibson on the publication of his new book on the history of Fort Smith.

A report was made by Mr. Finney that the Fort Sill Centennial celebration is continuing with all the events, so far, being successful.

Mrs. Bowman informed the Board that Mr. Henry Bass had been awarded an honorary Doctor of Law degree from Pepperdine College.

Attention was called by Mr. Phillips to the Board that the Executive Committee has authorized the expenditure of $1,500 to help with the restoration of historical papers, concerning the Oklahoma Historical Society, which had been damaged by fire. These papers had been stored by the State Library in an old warehouse.

Mr. Curtis moved and Dr. Gibson seconded a motion that the permission of the Society be given to help organize a program for the commemoration of the plaque at Norman. The motion was unanimously approved.

Upon a motion by Dr. Fischer, the meeting was adjourned at 11:45 a.m.

H. MILT PHILLIPS
1st Vice-President

ELMER L. FRAKER
Administrative Secretary

GIFTS RECEIVED IN SECOND QUARTER, 1969

LIBRARY:
State and Local Responsibilities for Education, 1968, Washington, D. C.
School Laws of Oklahoma, 1968.
The School Finance, Transportation and Activity Fund Laws, Bulletin 145-0, 1967-1969.
Donor: Joe Hurt, State Board of Education, Oklahoma City.

Early Institutions of Indian Territory, prepared by Vinson Lackey for The Thomas Gilcrease Museum.
Donor: Morton R. Harrison, Thomas Gilcrease Institute of American History and Art, Tulsa, Oklahoma.

Microfilm: 1870 North Carolina Census, Roll 1149, Mitchel, Montgomery & Moore.
1870 North Carolina Census, Roll 1164, Warren, Washington, & Watauga.
1870 Tennessee Census, Roll 1518, Carter, Cheatham & Claiborne.
Donor: Elmer W. Oakes, Norman, Oklahoma.

Stirpes, Vol. 8, No. 1, March 1968.
Our Heritage—Amor Patriae, Vol. 1, No. 1, October 1959.
The Genealogical Researcher's, No. 1, No. 1, March 1968.
Local History and Genealogical Society, October, 1959.
Descendants of Cornelius Merry by I. L. and Isabella G. Merry, 1968.
South Dakota Report and Historical Collections, 1968.
Directory Student-Faculty, Oklahoma State University, 1967-1968.
42 Oklahoma Telephone Directories, 1967 and 1968.
Journal of National Convention of the National Woman's Relief Corps, 1968.
The Cobbs of Tennessee by C. A. Cobb.
Genealogy and Local History, Goodspeed's Book Shop, Inc., Boston, Mass.
Donor: Oklahoma Department of Libraries, Oklahoma City.

Bristow, Oklahoma 1967 City Map.
Donor: Mrs. Lura Cole, Bristow, Oklahoma.

Certificate of Incorporation—Extended and Amended Charter of The Doc & Bill Furniture Co., October 11, 1938.
Royal Order of Jesters—Oklahoma City Court No. 78, Rosters for 1958, 1964 and 1967.
The Oklahoma Philatelist, Vol. 9, 10, Vol. 11, and Vol. 12.
The Oklahoma Philatelic Society Membership Register.
Oklahoma Port and Development Authority, 1962.
File of the Oklahoma Civil War Centennial Commission regarding final surrender ceremonies at Fort Towson, June 23, 1965.

Transcript of City of Guthrie, Public Utility Bond for Convention Hall, 1908.

Theatre at Tsa-La-Gi of the Cherokee Nation and presentation of "Trail of Tears."

To Holland and to New Harmony by Robert Dale Owen.
Donor: George H. Shirk, Oklahoma City.

Marriages and Deaths, 1763-1820 compiled by Mary Bondurant Warren, 1968.
Donor: Mrs. Carl R. Voris, Edmond in memory of John Hulsey, Edmond.

Epes—Epps of Kent, England—Allied Lines and Descendants.
Donor: Mrs. Adelia Stewart Sallee, Norman.

The Silver Years—All Soul's Episcopal Church History, 1944-1969 by Patty Patterson Grass.

Journal of a Residence on a Georgian Plantation in 1838-1839 by Frances Anne Kemble, 1863.

The Flush Times of Alabama and Mississippi by Joseph G. Baldwin, 1898.

Telephone Directory of Pecos, Texas, Jan. 15, 1943.

Telephone Directory of Taos, New Mexico, August 1947.

The Elements of Geology by William Harmon Norton, 1905.

American Women—The Official Who's Who Among the Women of the Nation, Vol. II, 1937-1938.

Who's Who in American Art, Vol. IV, 1947.
Donor: Mrs. Frank Grass, Oklahoma City.

Oklahomans for Indian Opportunity Newsletter, Oct., Nov. & Dec. 1968; Jan., March, April 1969.
Donor: Judge N. B. Johnson, Oklahoma City.

Early Map of Washington County, Oklahoma.
Donor: H. Milt Phillips, Seminole, Oklahoma.

Nashville (Tennessee) *A Place to Live.*
Donor: Mrs. Muriel Teel Cooter, Oklahoma City.

Journal of Oklahoma State Medical Association, Vol. 43, 1950.
Donor: University of Oklahoma Medical Center Library, Oklahoma City.

Dissertation: *Agrarian Radicals and Their Opponents: Politics in Southern Oklahoma, 1910-1924* by Garin Burbank, University of California, Berkeley, 1968-1969.
Donor: Garin Burbank, Assist. Prof. of History, University of Saskatchewan, Regina, Canada.

Immigrant Brothers: Edward Lorenz Elgasser and Frank Elgasser by Harold E. Mueller.
Donor: Harold E. Mueller, Oklahoma City.

Kiowa Years by Alice Marriott, 1968. All illustrations, other than actual photographs, were done by Jerome Tiger.
Donor: Mr. and Mrs. Arthur Silberman, Oklahoma City.

Copy of Appointment of James W. Duncan, Tahlequah, Indian Territory as Special Agent of Allotments of Lands in Severalty in Cherokee Outlet to Cherokee Citizens, May 6, 1893 signed by President Grover Cleveland.
Donor: Mrs. Lucinda Buffington Duncan, Phoenix, Arizona.

Poems of Alexander Lawrence Posey—1969 Edition of Okmulgee Cultural Foundation, Inc. and Five Civilized Tribes Heritage Foundation, Inc.
Donor: Wynema Posey Blaine (Mrs. Thos. B.) daughter of Alexander Posey, 10401 North Cave Creek Road, Space 165, Phoenix, Arizona.

Map of United States showing every county in every State.
Donor: H. H. Workman, Oklahoma City.

"The Uniroyal Story", Ardmore, Oklahoma. Speech by Walter Neustadt, Jr., on March 27, 1968.
A Factual Analysis and Report on Industrial and Commercial Location Advantages in Ardmore, Oklahoma, April 1969.
Donor: Mac McGilliard, Ardmore, Oklahoma.

I'm A Sooner Born by Chloe Holt Glessner.
Donor: Beulah Frantz in memory of Mrs. Frank Frantz and her son, Frank.

Joseph Ingham and 1191 of His Descendants.
Donor: Mrs. Frank A. Patchett, Newman, California.

Microfilm: 1860 Tennessee Census for Shelby County. 1840 Index to Georgia Census.
Donor: Romney S. Philpott, Oklahoma City.

Christian Herald, Vol. IX, No. 26, July 1, 1886.
Donor: Fran Morris.

Frances Densmore and American Indian Music.
Donor: Museum of the American Indian, Heye Foundation, New York.

Years of Valor by Edith Wasson McElroy.
The Undying Procession, prepared by Edith Wasson McElroy.
Donor: Edith Wasson McElroy.

Canary Clan
Donor: Rev. Ivan G. Canary, Haciendo Heights, California.

Cobb and Seely Family History.
Donor: John B. Cobb.

"Kiamichi Vacationland"
Donor: Mrs. Marcelle Lowry, Oklahoma City.

Burch, Harrell and Allied Families, Vol. I, & II.
Donor: Marilu Burch Smallwood.

Bulletin of the Institute of Historical Research, Vol. XLII, No. 105.
Donor: Goldsmith's Librarian.

Illinois Soundex, 1880, No. 128 T-420 through 512.
Donor: N. Dale Talkington, Oklahoma City.

Manuscript material and 8 Volumes of Clippings of the late Dr. Oscar B. Jacobson, Norman, Oklahoma.
Donor: Mrs. J. Craig Sheppard, Reno, Nevada.

Sixty-Fifth Annual Session of the Oklahoma District of the Wesleyan Church, Enid, Oklahoma, July 15-21, 1968.
Donor: Charles E. Jones, Tuskegee Institute, Alabama.

The Descendents of Stephen Bedwell by Vernon D. Ferrell.
History of Ellenwood-Wharton and 20 Allied Families, 1620-1968, compiled by Willard White Ellenwood.
The Ontario Register, Editor Thos. B. Wilson, Madison, N. J.
Surname Index, Permian Basin Genealogical Society, Odessa, Texas.
Burton Families, Vol. 2, No. 1.
Cook's Crier, Vol. 1, No. 1.

History of the Dickins Family by Mary W. B. Hicks.
Surname Index, The Colorado Genealogist, 1968.
Where to Write for Birth and Death Records, U. S. Dept. of Health, Education and Welfare.
Facts You Should Know for your Child's Birth Certificate, U S. Dept. of Health, Education and Welfare.
Marriage and Divorce Registration in the United States, U. S. Dept. of Health, Education and Welfare.
Handbook of Marriage Registration, U. S. Dept. of Health, Education and Welfare.
Kentucky Ancestors, Vol. 4, Frankfort, Ky.
Genealogical Periodical Annual Index, Vol. 6, 1969, Bowie, Maryland.
Valley Quarterly, Vol. V and *Index*, San Bernardino, California.
Ash Tree Echo, Vol. III, No. 4 and *Index*, Fresno, California.
North Randolph Historical Society Quarterly, Vols. I & II, Randleman, N. C.
Flint Genealogical Quarterly Topical Index, Vols. 6-10, Flint, Michigan.
North Texas Pioneer, Index for Vol. III, Wichita Falls, Texas.
Orange County California Genealogical Society, Index for Vol. 5, Orange Co.
Place Index for "Valley Leaves", Vol. I, 1966-1967.
Thompson Family Magazine, Index for Vol. 7.
Linkage for Ancestral Research, Vol. 2, Mrs. Frank N. Reeder, Albuquerque, New Mexico.
Midwest Genealogical Register, Vol. 3, Wichita, Kansas.
Tallow Light, Vol. 3, Washington Co., Ohio.
Newsletter, Vol 15, Wisconsin.
Footprints, Vol. 11, Fort Worth, Texas.
"They Were Here", Vol. 4, Albany, Georgia.
The Treeshaker, Vols. 5, No. 2; & 6, Nos. 1, 2.
Cousin Huntin', Syracuse, New York.
Central Pennsylvania Genealogy Magazine.
Gens Nostra, Jaargang 23, Amsterdam-C.
Santa Clara County Historical and Genealogical Society, Vol. 5, Santa Clara, Calif.
Yesteryears, Vol. II, nos. 41, 42, 43 & Vol. 12, nos. 45, 46, Aurora, N. Y.
St. Louis Genealogical Society Quarterly, Vol. 1, nos. 2, 3, 4, St. Louis, Mo.
Ancestral Notes, Vol. 15, nos. 1, 6, Burlington, Vermont.
A G S, Vol. 9, nos. 1, 2, 4, Austin, Texas.
The Genealogical Record, Vol. II, No. 1, Houston, Texas.

Donor: Oklahoma Genealogical Society, Oklahoma City.

300 items of Oklahoma historical value relative to Indian Territory.
Donor: The Newberry Library, 60 West Walton Street, Chicago, Illinois.

PHOTOGRAPHS DEPARTMENT:

Baling hay farm scene around 1890 — photograph.
Donor: Charles Schweinle, Jr., Oklahoma City.

Old Maid Rock at Black Mesa — photograph.
Wedding Party Rocks at Black Mesa — photograph.
Santa Fe Trail Marker — photograph.
Tulsa Tribune Marker on Black Mesa — photograph.

Donor: Oklahoma Industrial Development and Park Dept., 500 Will Rogers Bldg., Oklahoma City.

Monument of Indian Meridian — photograph.

Donor: B. B. Chapman, Orlando, Florida.

Fort Sill Indian School Girl's Dormitory picturing unidentified teacher around 1920 — photograph.
Donor: Rob W. Moore, 301 Oklahoma Natural Gas Bldg., Oklahoma City.

Black Mesa — photograph.
Donor: *Boise City News*, Boise City, Oklahoma.

Major Hendricks of Woodward, Oklahoma Territory — photograph.
Mrs. Hendricks — photograph.
Major & Mrs. Hendricks with children taken at El Reno — photograph.
W. A. George, funeral photograph.
John George, unframed tintype.
Harold Ray George — photograph.
Albert George — 2 photographs.
Mrs. Clarke Watts — photograph.
Oil tank and Derrick on fire — postal card photograph.
Donor: Mrs. Margaret Hayes, Oklahoma City.

Capitol Hill Chamber of Commerce Luncheon, photograph.
Donor: George H. Shirk, Oklahoma City.

Mrs. James S. Robertson and children, 1898.
Dr. Garrett P. Robertson (first dentist in Yukon, Oklahoma) and sisters, 1901.
First dental office, Yukon, Oklahoma, 1901.
Donor: Mrs. Wiley W. Lowry, Oklahoma City.

INDIAN ARCHIVES DIVISION:

"Biographical Sketch of George M. Wratten, Scout & Interpreter for Apache Prisoners of War" by Albert E. Wratten.
Donor: Albert E. Wratten, 1116 Arizona Ave., El Paso, Texas

Minutes Cherokee Executive Committee meeting Jan. 11, Feb. 8 and May 27, 1969.
Donor: Cherokee Nation of Oklahoma

Henry B. Bass *News Letter*, Mar. 15 & Apr. 15, 1969.
OIA News Letter, May 1968; May & June 1969.
Cherokee Tribal Educational Loan Program information.
"Mary Gregory Memorial School" by N. B. Johnson.
The Amerindian, Nov.-Dec. 1968, May-June 1969.
Dept. of Interior News Release Mar. 28, 1969 "Indian Claims Commission granted more than $36 million during 1968; of April 8, 1969, "Top Officials of Indian School in Oklahoma ordered replaced" (Chilocco Indian School).
Cherokee Nation v. U. S., #173A & Cherokee Freedmen v. U. S., #123 before Indian Claims Commission: Defendant's Requested Findings of Fact; Objections to Petitioners requested findings of fact & Brief; Petitioner's reply to Defendant's Statement, etc.; Answer to Defendant's Objections to Petitioner's requesting finding of fact and reply brief; Response of Cherokee Nation; Intervenor's motion for Summary Judgment.
Cherokee Nation v. State of Okla. #9924 & Choctaw Nation v. State of Okla. #9925 (Riverbed case): Brief of Appellant.
Cherokee Nation, vs. State of Okla. #9924: Writ of Certioari to U. S. Court of Appeals for Tenth Circuit.
Donor: N. B. Johnson

Copy "Nez Perce Indians" manuscript by James Reubens in Archives Dept., University of Idaho Library, Moscow, Idaho
Donor: Charles Webbert

"Kendall Lewis, Citizen of Four Nations" by Traylor Lewis.
Donor: Mrs. R. W. Gimpel.

Oklahoma Indian Council Calendar, May-Oct. 1969.
Donor: Will T. Nelson.

Report meeting Five Civilized Tribes April 11, 1969.
Report General Assembly Eastern & Western Oklahoma Indian Tribes Apr. 11, 1969.
Report meeting Executive Committee, Cherokee Tribe, Dec. 8, 1969.
Donor: Muskogee Area Office.

Texas Libraries, Winter 1968.
Donor: Texas Library & Historical Commission, Austin, Tex.

Pen & Ink drawing of Walkingstick Home, Tahlequah, Okla.
Donor: Mrs. Floy Dotson Buxton, Okla. City.

Returns showing total votes, Election, Cooweescoowee Dist., Cherokee Nation, Downing Ticket, undated.
Supplement *The Muskogee (I.T.) Phoenix*, Sept. 7, 1905 "Undetermined Cherokee citizens" on Census 1880 & 1896.
Donor: O. K. Bivins.

Blackfeet & Gros Ventre Tribes in Montana, etc. vs. U. S., Docket 279A: Findings of Fact on Attorney's Fees for services to Sioux Tribe, intervenor; Order allowing attorney's fees.
Cherokee Nation v. U. S., Docket 297: Order Dismissing Petition.
Pillager Bands of Chippewa Indians in Minn. v. U. S., Docket 144; Order Admitting Evidence; Additional Findings of Fact; Order Denying Motion for Reconsideration; Opinion.
James Strong, et al, on behalf of Chippewa Tribe v. U. S., docket 13N: Order Dismissing Petition with Prejudice.
Delaware Tribe & Absentee Delaware Tribe v. U. S., Dockets 27A & 241: Additional Findings of Fact; Opinion; Final Order.
Iowa Tribe of Kansas, Nebraska & Oklahoma v. U. S., Docket 79A: Final Award.
Kickapoo Tribe v. U. S., Docket 318: Final Judgment; Findings of Fact.
Klamath & Modoc Tribes & Yahooskin Band of Snake Indians v. U. S., Docket 100A: Findings of Fact; Conclusions of Law and First Interlocutory Order; Opinion.
Emigrant New York Indians v. U. S., Docket 75: Order allowing Attorney's Reimbursable Expense.
Oneida Nation of N. Y., et al. v. U. S., Docket 301: Defendant's Motion for Partial Summary Judgment; Order denying defendant's amended motion for partial summary judgment.
Northern Paiute Nation v. U. S., Docket 87: Findings of Fact on Award of Attorneys' Fees; order allowing attorneys' fees.
Peoria Tribe of Okla. v. U. S., Docket 65: Order allowing attorneys' Fees and Reimbursable expenses.
Citizen Band of Potawatomi Indians of Okla. v. U.S., Docket 96: Order allowing attorneys' Fees.
Sac & Fox Indians of Oklahoma and Iowa Tribe of Kansas & Nebraska v. U. S., Dockets 158, 209 & 231: Findings of Fact; Opinion; Final Award
Sisseton & Wahpeton Bands v. U. S., Docket 142: Additional Finding of Fact; Opinion: Order awarding balance of attorneys' Fees.
Sisseton & Wahpeton Bands & Lower Sioux Community v. U. S., Dockets 142, 359-363 Order allowing attorneys' Reimbursable expenses.
Upper Skagit Tribe v. U. S., Docket 92: Findings of Fact on attorneys' Fees; order allowing attorneys' fees.

Snoqualmie Tribe v. U. S., Docket 93: Findings of Fact on Attorneys' fees; Order allowing Attorneys' fees.
Tlingit and Haida Indians of Alaska v. U. S., Docket 278A: Order Denying Motion for Interlocutory Order; Order Denying Motion to Dismiss; Findings of Fact; Conclusions of Law & First Interlocutory Order; Opinion.
Yavapai Indians, et al. v. U. S. Docket 22E and 22F: Additional Findings of Fact on Compromise Settlement; Final Judgment.
Donor: Indian Claims Commission.

12 documents dating Aug. 1887 to Aug. 1908 in re Cherokee Male Seminary, 3 documents dating May 1874 to Nov. 1886 in re Methodist Episcopal Church South and Indian Mission Conference.
8/4/1905. Removal of restrictions William P. Chandler, Cherokee.
1/18/1905. Certificates of allotment: Leonard & Annie L. Craig, Cherokees Allotment deeds of Jack Osage, Cherokee, June 29, 1905 and Aug. 7, 1907.
Genealogy, Watt Duncan.
Genealogy, Gladney family.
4 letters Feb. 1886 to Jan. 14, 1888 from R. L. Owen, Ind. Agt. to J. H. Covel.
Letter Apr. 2, 1894 Stephen Tehee to C. J. Harris, re warrant.
6/18/94 Appointment Walter A. Thompson as Postmaster, Tahlequah, I.T.
1/1/90 Permit for M. Bright to remain in Cherokee Nation.
9/28/66 Receipt of Danl. Ritter for $50. paid by Mrs. Jane Nave.
8 letters from May 1935 to June 1947 in re Keetoowah Society.
12/28/1910 Parole George Chuculate signed by C. N. Haskell, Gov. of Oklahoma.
Brochure "Early Educational History of Cherokee Nation" by O. H. P. Brewer.
Brochure, "Sequoyah Indian Weavers".
Brochure, "First Baptist Church, Tahlequah" by T. L. Ballenger.
Brochure, "The Ballenger Family" by T. L. Ballenger.
Brochure, "Historic Points In and Around Tahlequah" by T. L. Ballenger.
Typescript "A Glimpse at the Old Cherokee Nation" by T. L. Ballenger.
Typescript "One Hundred Years Ago" by T. L. Ballenger.
2 printed documents in re: Tahlequah and politics.
Cherokee Advocate, Dec. 2, 1899.
The Tahlequah Arrow, Mar. 2, 1899.
Donor: Newberry Library, Chicago, Illinois.

MUSEUM:

The M. S. and D. J. Laughter papers; two mule shoes.
Donors: Dick Herbst and Rudy Billingsley, Oklahoma City, Oklahoma.

Photographs of Green, Edmond, and Jack McCurtain with descriptive text.
Donor: George W. Scott, Jr., Houston, Texas.

Oil painting titled "Cattle near Moore"; photograph from which above painted.
Donors: Waneta Green, Louise Reeves, Oklahoma City, Oklahoma.

Horse-drawn binder (Sod House Museum).
Donor: Floyd W. Anthony, Cleo Springs, Oklahoma.

Early Oklahoma state and city photographs; post cards; mounted buffalo head; mounted eagle; mounted small birds of Oklahoma; button hook; early Oklahoma City police billy; boots and boot jack belonging to Donor; eye hoe; 1889 Liberty Dollar; tokens; autobiography written by Donor titled *In Oklahoma Since 1889.*
Donor: Sam E. Flood, Oklahoma City, Oklahoma.

Spectacles, 19th Century, oval lenses, dark glass, wire frames, belonging to James Darley Newcomb.

Donor: Mrs. Madge Newcomb, Oklahoma City, Oklahoma.

Galley spoon and teakwood section of deck from the USS Oklahoma, salvaged from Pearl Harbor; two swagger sticks, made from teak decking of above ship.

Donor: Milton Pulver, San Rafael, California.

Threshing separator, early 20th century. (Sod House Museum.)

Donor: Mrs. Lucille Ryel, Aline, Oklahoma.

Photographs, various tools used on Payne County homestead, Run of 1889, including tongs, wrench, husking finger, hayhooks, cotton scales, saws, sickle, single trees; bricks from Main Street, Stillwater; abstract of claim; three wooden batteries, Model T Ford; parts of harness; written description of D. E. Carpenter's early life as homesteader.

Donor: Mrs. Durl E. Carpenter, Stillwater, Oklahoma.

Single trees; double trees; neck yoke (Sod House Museum).

Donor: Grant Sipe, Gage, Oklahoma.

Waltham watch, 19th Century; book, *The Century Cyclopedia of Names*, by Benjamin E. Smith.

Donor: Mr. and Mrs. Earl A. Johnston, Jr., and Mrs. Leatha Kennedy, Savanna, Oklahoma.

Two quilts, handmade, 19th Century.

Donor: Lula Anderson, Winslow, Arizona.

Trade token, Grady Trading Company, Indian Territory.

Donor: Robert W. Marvin, Anaheim, California.

Brier pipe, beaded belt belonging to Governor L. C. Phillips, (Governor's House Exhibit).

Donor: Mrs. Helen C. Phillips, Oklahoma City, Oklahoma.

Documents, letters, papers belonging to Governor Frank Frantz; medal awarded to Governor Frank Frantz. (Governor's House Exhibit).

Donor: Mrs. Louise Frantz Collins, Mrs. Virginia Frantz Scott, and Mrs. Matilda Frantz Bradford, Tulsa, Oklahoma.

Icebox used by Peter Conser. (Peter Conser Home Museum).

Donor: John Dusec, Howe, Oklahoma.

Cook stove, early 20th Century. (Peter Conser Home Museum.)

Donor: Alice Clark, Heavener, Oklahoma.

Fencing pliers, 19th Century; double shovel plow; stake pin. (Sod House Museum).

Donor: G. H. Belter, Byron, Oklahoma.

Bison skull found in Eagle Chief Creek near Carmen, Oklahoma, 1965. (Sod House Museum).

Donors: Don Harvey and Don Kent Harvey, Carmen, Oklahoma.

Horse-pushed header, horse-powered grain grinder, 19th Century. (Sod House Museum).

Donor: C. W. Stewart, Aline, Oklahoma.

Documents belonging to John Reubin Tuggle, early 20th Century.

Donor: Mrs. John C. Shaffer, Oklahoma City.

Six sets blacksmith's tongs. (Sod House Museum).
Donor: Scott Ging, Enid, Oklahoma.

Currency, 25 cents, United States of America, Series of 1874.
Donor: R. E. Phelps, Oklahoma City, Oklahoma.

Dinner bell used by Mulhall Ranch; telephone directory, 1907, Guthrie, Oklahoma; two albums, photographs of Guthrie; photographs; land grant; warrant, January 6, 1899, Logan County; post card. (Guthrie Territorial Museum).
Donor: Mrs. Thelma Hyde Flasch, Guthrie, Oklahoma.

Wooden costumer. (Guthrie Territorial Museum).
Donor: Mr. Milton May, May Brothers, Oklahoma City, Oklahoma.

Badge, "First Inauguration, 1907"; Guthrie City Directory, 1889; Guthrie City Directory, 1896-97; group of stock certificates, early Guthrie enterprises; "Guthrie in a Nutshell", small souvenir. (Guthrie Territorial Museum).
Donor: Mr. Forres Lillie, Guthrie, Oklahoma.

Guthrie photographs, late 19th Century. (Guthrie Territorial Museum).
Donor: Ted Wille, Guthrie, Oklahoma.

Indian collection, including moccasins, purses, belts, pipe bag, doll, toy cradle board, cradle board cover; framed picture; St. Louis World's Fair booklets; letterheads, early Guthrie businesses. (Guthrie Territorial Museum).
Donor: Mary Wenner Hopkins, Guthrie, Oklahoma.

Book, *Cram's Unrivaled Family Atlas of the World*, 1907; oxen shoes; spectacles. (Guthrie Territorial Museum).
Donor: Mrs. Alleyne Burright, Guthrie, Oklahoma.

Singer sewing machine; scales; knife sharpener; veterinarian's book, 19th Century. (Guthrie Territorial Museum).
Donor: Turner Sowers, Guthrie, Oklahoma.

One cook stove from Mulhall Ranch. (Guthrie Territorial Museum).
Donors: Mr. and Mrs. John L. Lough, Old Mulhall Ranch, Mulhall, Oklahoma.

Lalique ashtray belonging to Governor Martin E. Trapp. (Governor's House Exhibit).
Donors: Mr. and Mrs. Martin Trapp, Jr., Oklahoma City, Oklahoma.

OKLAHOMA HISTORICAL SOCIETY
NEW ANNUAL MEMBERS*

April 25, 1969 to July 24, 1969

Akin, Emma E.	Oklahoma City
Allen, Mrs. Joe Bailey	Drumright
Bascus, Richard	Oklahoma City
Bilbrey, Mrs. G. Funston	Frederick
Buntley, Arline S.	Clinton
Constant, Edwin	Independence, Missouri
Cordell, Zona M.	Alva
Currey, Claude, Jr.	Tulsa
Day, Mrs. Hubert	Wewoka
Douglas, Garner	Oklahoma City
Dresser, James R.	Rantoul, Illinois
Faulk, Dr. Odie B.	Stillwater
George, Ida	Oklahoma City
George, N. L.	Oklahoma City
Gilmore, Gladys	Clinton
Huff, David	San Antonio, Texas
Johnson, Esther H.	El Reno
Littlefield, R. S.	Spiro
McFadden, Joe C.	Oklahoma City
Matthews, Sanford	Oklahoma City
Moseley, Philip	DeQueen, Arkansas
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COVER: This is a view of the Modoc Quaker Church on the Modoc Reservation in the Indian Territory, 1880. It was here that Frank Modoc served as minister under appointment by the Friends Society in its Spring River Quarterly Meeting, having been one of the warriors of the Modoc War known by the name of "Steamboat Frank."

EDMUND GASSEAU CHOTEAU GUERRIER: FRENCH TRADER

By Fred S. Barde

Introduction

This biography on Edmund Guerrier, the French-Indian (Cheyenne) trader out of Darlington Indian Agency, Indian Territory, is by the late Fred S. Barde, the noted reporter and writer for *The Kansas City Star* and other papers, who settled in Guthrie in 1898. The manuscript copy of the Guerrier story was rescued from the fire that all but destroyed the mass of papers stored in two rooms of the old brick building on North Preston Road, Oklahoma City, on June 8, 1969. The building was originally a detention hospital that was abandoned by the State Health Department and turned over to the Oklahoma State Library in 1952, for the temporary storage of State records and historical papers in care of the State Library. Some of the charred papers in the two rooms were salvaged and are now in the Indian Archives through the interest of the Oklahoma Historical Society. The rest of the great storage of records in the old brick building has been moved and placed in an old warehouse on the State Capitol grounds until the lot can be properly sorted and filed for permanent library use. One of the fine collections of historical papers and photographs in the Oklahoma Historical Society is the Fred S. Barde Collection which was purchased from the Barde estate two years after his death in 1916, through special state legislative appropriation. Barde's story on Guerrier was not in this Collection before the fire. The name of the town of Geary in Blaine County is an anglicized form for that of Guerrier who lived in the vicinity. Barde's story of this noted French-Indian trader among the Cheyenne here in *The Chronicles* follows the partly burned manuscript saved from the fire last summer.

—The Editor

Along the North Canadian lay the sunshine of an autumn day. The tinkle of a bell came from a pony herd grazing in the river valley. A blue fly buzzed in the grass, and a belated bee toiled among the thick petals of a yellow flower. Drowsiness rested upon the land, which seemed to be drifting and drifting into far-off regions of the sky. It was a day of dreams.

An old man sat in the shade of a brush tepee gazing in reverie towards the west, where the red Oklahoma hills swam

in blue mist. Through half-closed eyes he saw white clouds change to snowy mountains and wide expanses of blue to level plains watered by winding rivers. Great shadows on the plains became herds of buffalo; small white feathery clouds gathered at anchor, and formed slowly into an Indian village, the white tepees rising one by one until a whole tribe was in camp.

To the old man this was not a vision, but reality — the shadowy, intangible things, unsubstantial and impossible, were the farms, the towns, the railroads, and the multitudes of white men and women that peopled all this land beneath the sky, this land of the forlorn and faded frontier, from which had departed the life of the wilderness.

"Hello, Ed."

The words startled the old man from his dreams, and he rose to greet his visitor. There was a certain courtliness in his manner, due, perhaps to his French ancestry, for Edmund Gasseau Choteau Guerrier, plainsman, scout, and Indian interpreter, and in many a foray, companion of Custer, Hancock, Sheridan and Carr, was the son of a French father and a fullblood Cheyenne Indian mother. Properly, his name was spelled Le Guerriere. Usage shortened all of it to Ed Gerrier.

Compactly built, perhaps five feet six inches in height, Guerrier is still a well-preserved man, despite his more than 70 years. His swarthy features are deeply lined, his thin gray hair touches his shoulders, and for comfort he wears Cheyenne moccasins, with rawhide soles, as he has worn them all his life. His eyes are keen, and his memories of the past like a vice. He is a man of education, of much natural intelligence, and is fluent in both English and Cheyenne. His remarkable and adventureous life has been passed in that region lying between Canada and Mexico, the Rocky Mountains and Mississippi River. He was a robust boy before the plains Indian tribes went to war with white men; he was a spectator and participant in many of the bloody events that followed and had lived to see the Indian deprived of his wild freedom, and imprisoned within the boundaries of a reservation, shorn of his strength as a warrior and debased and impoverished by (illegible) of civilization. Most of his life he lived in camp with his Indian kinsmen. For his wife, he took Julia, a daughter of Colonel William Bent, friend of Ceran St. Vrain, both renowned traders among wild Indian tribes in frontier days. Bent's Fort, on the upper Arkansas in Colorado, where Colonel William Bent was associated with his brothers, was known to every trapper that roamed the west. Julia Bent's mother was an Indian, as were all of Colonel Bent's wives.

All the scenes of western glamour and romance that have made the breasts of boys buried deep in the old "yellow backs" seethe with volcanic emotion have passed before the eyes of Ed Gerrier. The receding waves of the Old Indian life drew him closer and closer year after year to the isolation of his red people, until finally the last eddy cast him ashore in a little cove on the North Canadian, near the town of Geary, in western Oklahoma, where he sits waiting for Tomorrow—on an allotment of 440 acres of the best land in Oklahoma. Gerrier is too old and has lived too long among the Indians to change his ways —one of his sons lately went to the Sioux for a wife.

Gerrier was born January 16, 1840, in a Cheyenne camp, somewhere on the Smoky Hill river. His father, William Gerrier, from St. Louis, was post sutler and Indian trader at Fort Laramie, where in February, 1857, fire from his pipe fell into an open keg of powder, and caused an explosion that killed him. He was a business partner of "Set" Ward, the firm name being Ward & Gerrier, and was about 45 years old at the time of his death. Gerrier's mother was a fullblood Cheyenne woman, Tah-tah-toisneh, belonging to the southern branch of the tribe. She and her infant child died of cholera in 1849, when that terrible disease swept across the plains, to the horror of the Indians who never before had experienced its ravages.

Gerrier lived among the Indians until he was eleven years old, as they ranged the plains country in search of game, in full enjoyment of their tribal customs and habits. Gerrier, the trader, was a man of limited education, but he planned that his son should enjoy all the advantages of schools. In 1851 the boy was sent to the Catholic mission school at what is now St. Mary's, Kansas, where he remained until 1856, going thence to St. Louis University, at St. Louis, Missouri. He had been there only a year when his father died. He went to his guardian — F. Mayer, whom Gerrier's father had known at Fort Laramie. Mayer was a man of means, and lived on a farm at Collinsville. He refused to send him back to the university saying that he did not believe his ward should follow a professional career.

When Gerrier reached his majority, there remained $1900 of his father's estate, which Mayer gave to him with this wise injunction: "Take this money, Edmund, and travel as widely in the west as your means will allow. When you are broke — you'll get broke, all right — come back and we'll talk it over. My purpose is that you shall learn the ways of the world, and be cheated and robbed before you engage in business for yourself. You will recover from your losses, but if you should engage in business without this knowledge, and then lose your property, you might never be able to retrieve your bad fortune."

(Print from portrait about 1860)
(Oklahoma Historical Society)

EDMUND GASSEAU CHOTEAU GUERRIER

Gerrier had seen none of his kinfolk since he was eleven years old. He reached Leavenworth, Kansas, by steamboat in 1862, and at once found employment with Irvin and Jackman, at $20 a month, as bullwhacker with a bull train destined for Fort Union, New Mexico. Irvin & Jackman were government freighters. The government was then at peace with the Indians, the Indian outbreaks not beginning until 1863. In the fall, Gerrier hired to the government to help convoy a thousand horses from Fort Leavenworth to Fort Union. There were from fifty to sixty horses in a bunch, all tied to a long rope fastened to a wagon, which prevented their straying or being stampeded, and as all the horses were gentle, the long journey was easily made.

With a strain of the wilderness in his blood by birth, Gerrier found a splendid fascination in the life he was leading. He had forgotten the Cheyenne tongue, but his swarthiness marked him as an Indian. Money was easily made and easily spent. Gerrier bought all the apparel of a dandy, and arrayed himself gorgeously when he reached the garrisons and trading posts. Despite his surroundings, he was a young man of more than ordinarily good habits — for those days — and while he frolicked occasionally at the sutler's yet he rarely used tobacco. Sometimes, as he does now, he smoked an Indian pipe and Indian tobacco, which by no means is the intemperate smoking of a white man. He whacked bulls to Fort Union, Fort Craig, went to Fort Stanton to help transport Apache prisoners of war to Fort Sumner, where Kit Carson was in charge of the garrison, and then loafed for a year in Kansas with an old schoolmate, Lucien Dagenette, and then became a post sutler at Fort Riley.

Resuming his travels, Gerrier stopped over night at Louisville, Kansas, and there met John Smith, known everywhere in the west as a trader among the Indians, especially the Cheyennes. He little thought what afterwards would befall him and Smith. The latter told Gerrier that he ought to go and visit his Indian kinfolk, as they frequently asked about him, and wondered where he was.

Gerrier fell in with a squaw man, John Stickler, and after a trip to Fort Lyon, they stopped at Fort Larned. There Gerrier heard that Colonel Bent was down south of the Arkansas trying to get the Cheyennes to go to Fort Larned and establish peace. This was in 1864. The soldiers had killed the Cheyenne chief, Lean Bear, and the plains Indians were losing faith in the promises of the government, and going on the warpath. When Bent arrived with the Cheyennes, Gerrier met many of his Indian relatives.

Stickler bought pelts and ponies from the Cheyennes, and with Gerrier pulled out for Fort Zarah, where a company of

(Oklahoma Historical Society)

BIG MOUTH, ARAPAHO CHIEF

Lived on the Cheyenne-Arapaho Reservation, 1880's

soldiers was stationed to guard the Santa Fe Road — it was called "road" and not "trail" in those days. Men's lives are saved in mysterious ways. Two Cheyenne warriors rode into Stickler's camp, and in a friendly way made themselves at home, even going out and killing a buffalo for meat. Later, five or six young Arapaho warriors rode up and camped. They were hunting for Pawnees, "just to have a fight." Word came from the commanding officer at Fort Larned that the Kiowas, Comanches and Arapahoes were out, and that the Cheyennes had gone to the Smoky Hill country.

The sun was still high, and Gerrier proposed to Stickler that they move camp and get away. Stickler did not believe that the Kiowas would reach their neighborhood before sunrise, and insisted upon staying until they could make a daylight drive to Fort Larned, about forty miles distant.

The main part of the Arapahoe tribe was in camp between [illegible] Larned, and when the Kiowas came along that night they were halted by the Arapahoes and told to be careful in making night attacks upon camps in the direction of Fort Zarah, as some of the Arapahoe people were in that part of the country. Everybody in Stickler's camp was in bed when the Kiowa war party arrived, and stealthily stole along a creek bed and entered the camp. They woke the Arapahoes and told them to get away. Thereupon, the Arapahoes crawled to the two Cheyennes and warned them to leave. The Cheyennes, in turn, woke Stickler, and Stickler woke Gerrier. The night bristled with danger. Gerrier approached a wagon where he saw a number of men, and found the Cheyennes talking to the Kiowas. The Cheyennes pointed to Gerrier and said that he belonged to their tribe by blood, that Stickler was married to a Cheyenne woman, and that they would have to protect them.

"Let 'em go," said the Cheyennes; "there are lots of white men travelling along the Santa Fe Road that you can get."

The Kiowas consented, but told the Cheyennes to go with Stickler and Gerrier until they reached the point where the road left the Arkansas for Cow Creek. Gerrier told Stickler that he would take no chances and would stay with the two Cheyennes. Stickler luckily reached Larned but lost all his ponies. Gerrier joined his people on the Smoky Hill and for the first time since he was eleven years old was again in the savage life of an Indian camp.

These were the southern Cheyennes, fully three thousand strong and, as Gerrier put it, were "out good," raiding on both the South Platte and along the Arkansas. He remained with them all summer, the Indians at no time venturing near a garrison.

"No man in these days can realize what happens in camp when a big Indian tribe is on the warpath," said Gerrier, as he sat in the shade of his brush tepee on the North Canadian. "Day and night came plunder from wagon trains, trading posts, and the homes of settlers — scalps, red with dry blood, and some fresh and moist; captive women and children; horses, mules, sugar, coffee, dry goods, money, letters, guns, ammunition, whiskey, in fact, a man could hardly recount the innumerable things that were piled in the tepees. Scouts were coming and going, war parties arriving and departing, and at night there were war dances, scalp dances, and the incantations of the 'medicine men.' "

Among the captives were two white women and several children, captured at Plum Creek. Gerrier said that these particular captives, as far as he knew, were not abused. For a time, before there was variety in the food supply, they nearly starved, as all the Indians had to eat was buffalo meat, without salt or pepper. The Indians could take this unseasoned meat from the kettles and eat it with gusto, but it appalled on the taste of the white women. Gerrier went frequently and talked with the white women, as he could not talk Cheyenne. The women were in constant fear of their lives, and asked Gerrier if he believed they would kill them. The only assurance Gerrier could give them was that inasmuch as they were not killed at the moment of capture, the probabilities were that they would not be harmed.

About September, 1864, the chiefs sent for Gerrier and George Bent, the latter a son of Colonel William Bent, living with a Cheyenne wife, and asked them to write a letter to the commanding officer at Fort Lyon, proposing to surrender the captives and cease fighting, if the government would "call it off." It should not be forgotten that the Indians were fighting because of broken treaties and treacherous attacks upon them by the whites, such as the killing of Lean Bear, etc.

Colonel E. W. Wyncoop came out with several companies of soldiers and got the white captives, following a conference of Indian chiefs and garrison officers. Gerrier returned to Fort Lyon with Colonel Wyncoop, and from that time forward was more or less employed by the United States government in its dealings with the hostile Indians. Gerrier frequently went back and forth between the camp and the fort, visiting his Indian relatives.

A delegation of Cheyenne chiefs — White Antelope, One Eye and Bull Bear — had held a conference with Governor Evans in Denver and returned with a proposal that if the Cheyennes would go to Fort Lyon and surrender, rations would be issued to them by the commanding officer. Gerrier went with

Bull Bear to the camp on the Smoky Hill, where there were plenty of buffalo. A part of the tribe refused to accept the offer, but Black Kettle, White Antelope and One Eye moved in and camped on Sand Creek. The hour was close at hand when civilized society was to be disgraced by the atrocities of the Sand Creek massacre, where both state and federal troops, under command of Colonel Chivington of Colorado, without warning shot down and mutilated defenseless and unsuspecting Indian women and children; where unborn children were thrown to wolves and vultures, bodies scalped and the scalps afterwards shown at a public exhibition at Denver.

While in camp on Sand Creek, the Cheyennes were told by an Arapahoe who spoke broken English that the same promises had been made to the Arapahoes and broken; that the Arapahoes had moved away, and that the Cheyennes should not allow themselves to be deceived. Gerrier gives information that may have an important bearing upon this greatly disputed affair, when he says that the Cheyennes had made up their minds not to go into Fort Lyon.

John Smith came out with goods from Fort Lyon to trade with the Indians, who were in need of sugar and coffee. The Indians were to move the next morning, November 29, 1864, after trading.

Gerrier was asleep in the tepee of his relatives when at early dawn one of the women said: "Look at the buffalo coming." "No," said another woman, "that's soldiers." One of the women ran into Gerrier's tepee, shouting: "Get up, get up; the soldiers are on top of us."

Gerrier dressed hurriedly and ran to Smith's tent, suggesting that they go out and meet the soldiers. A company of soldiers had reached a point just below the camp. Gerrier and Smith started in their direction, Smith waving his hat. Instantly, the soldiers dismounted and fired broadside at Smith and Gerrier.

"It seems incredible that we were not killed," said Gerrier. "As a matter of fact, we were not touched, though the bullets fairly rained upon us. It may seem easy to a man that never tried it, but you simply couldn't keep your feet on the ground. When a bullet struck close to your toes, you certainly jerked your foot up."

Gerrier saw that it would be suicide to advance further, and turned to seek safety by flight in the opposite direction. He ran for a bow and arrow he had seen in his tepee, as it might give him some protection in a tight place, but they were gone. Women and children had begun running east from the deserted tepees.

Gerrier started southeast, below the main body of fugitives, in a desperate effort to save his own life. He overtook a squaw, a kinswoman, driving six or seven ponies. She told him to catch a white one, as it was gentle. There was no rope, so Gerrier cut cloth from his coat and tied the cloth round the pony's lower jaw. He felt safe, as there was no danger of immediate pursuit, so desperately were the Indian men fighting the soldiers.

The night was cold in the open prairie. With a flint a buffalo chip fire was made in a ravine, and Gerrier and the squaw made camp. They were without food. The woman kept warm by wrapping her buffalo robe around her. Early next morning they reached a camp of eight or ten lodges that had moved from Little Robe's camp to the Smoky Hill. During the night Indians had reached the camp from the scene of battle, and when Gerrier arrived the women had cooked great pans of buffalo meat and boiled gallons of coffee for the refugees who were now straggling in by twos and threes. Gerrier remained with these Indians until they joined the Sioux on the Soloman. More than 130 men, women and children were slain in the Sand Creek massacre.

George Bent had been shot in the thigh. He sent for Gerrier, and [illegible] with another Indian they set out for the stockade home of [illegible] Arkansas at the mouth of the Purgatoire. For arms [illegible] and gun without a sight and with the barrel sawed [rest of paragraph illegible].

The massacre on Sand Creek sent all the Cheyennes flying north to the Sioux country. The Dog Soldiers remained in Kansas, on the Beaver and the Republican. Gerrier found employment at Fort Larned as a courier and interpreter for Colonel Leavenworth, United States Indian agent for the Kiowas and Comanches, and was with him at the mouth of the Little Arkansas in Spring of 1865 when Colonel Leavenworth, Colonel Bent, Kit Carson and others made a treaty with these Indians. Nobody remained long in the same place in the frontier in those days, and Gerrier dropped down to Fort Zarah, where he often went to the Arapahoe camps of Little Raven and the Cheyenne camps of Little Robe, south of Fort Dodge.

Little Robe proposed that Gerrier go north with him and help find the rest of the Cheyennes, who were still on the warpath, not knowing that the Indians down south were at peace. They were found on the Republican in Kansas, under Tall Bull and White Horse. On the way, Little Robe's horse wore out on the Smoky Hill. Gerrier was riding a little Mexican mule which the two now used between them. One would ride four or five miles, turn the mule loose to graze, and then strike ahead. The man following would reach the mule, mount and ride until a

mile or two ahead of his companion. They traveled this way four or five days. Their feet became so badly blistered that for an hour or so after starting each morning the pain was so great that they could barely walk. They killed a buffalo, which was their only food, barring coffee.

They persuaded the Indians to return south. Just before reaching Fort Dodge on their way back, Little Robe and Gerrier made a lucky strike in finding twelve head of work oxen, and sold their "possessory right," to the post butcher for $10 a head, or $120.

During 1866 and part of 1867, Gerrier lived most of his time among the Indians in their camps, working for traders. Colonel Wyncoop at Fort Zarah, employed him as interpreter, and got him a similar position with General Hancock, when the latter came out in the spring of 1867, to wipe the Indians off the face of the earth.

General Hancock was in grand martial array, with cavalry, infantry, batteries of artillery, pontoon bridges, etc. Colonel E. J. Smith was in command of the Seventh Cavalry with the expedition, and with him was Custer, as lieutenant-colonel. Those were days when the army officer took his whisky often and in big drinks. Gerrier said that practically all the officers served liquor in their tents, and their first invitation to a visitor was, "Have a drink." Custer was an exception, by not serving liquor. General Hancock paid Gerrier $120 a month, and said that he would take care of him in the service after the campaign was at an end.

By order of General Hancock, Gerrier went out and brought in Bull Bear, Tall Bull and White Horse. Hancock said that he wished to visit the Indian camp and look at the women and children. The three chiefs protested vigorously, saying that the soldiers looked too much like war, with their cannon, and gold braid and so many fighting men. The Indians had not forgotten the treachery at Sand Creek. General Hancock was obdurate, and moved with his entire command in the direction of the camp, only to find it empty of women and children. Bull Bear, White Horse, and Roman Nose, the Roman Nose that died afterwards in his wonderful charge at the Arickaree, were given until next morning to bring in the women and children. They replied that their ponies were too thin and weak for the long ride, and were furnished with strong mounts.

General Hancock asked Gerrier if he was afraid to go with the Indians, and when Gerrier said no, he was told that he would be held responsible if the Indians should run away. This was a horse of a different color, but Gerrier went.

At this time occurred an incident in which General Hancock narrowly escaped with his life. Had he been killed, it is probable that the United States government forthwith would have destroyed the war power of the plains Indians, and averted the losses in life and human property that followed in after years. The incident is related here for the first time in print, and is vouched for by Gerrier who learned the facts first hand from the Indians.

During the talk about fresh mounts, General Hancock, Smith, Davidson, and Custer were standing in a group, with Gerrier at Hancock's elbow. Close to Gerrier stood Bull Bear, and opposite General Hancock was Roman Nose. During the conference, Bull Bear kept pushing Gerrier away from Hancock. The latter, for some reason probably unknown to himself, would catch Gerrier by the sleeve and pull him back.

A year or so afterwards the Indians told Gerrier that Roman Nose had determined upon making a final demand of Hancock, and was prepared to shoot him down if the request was refused. "That man," said Roman Nose, "is the cause of all our trouble. Let me kill him, and then trust to luck. All of us may die, but we will have killed our worst enemy; if he should escape now, we might not be able to reach him again."

Bull Bear knew all this and was trying to draw Gerrier aside, that he might escape when the firing began. Other Indians persuaded Roman Nose at the last moment not to make the attack, urging that there should be no fighting until the soldiers overtook the Indians.

Gerrier reached the hostile camp, where he told the head men that the Indians must not leave without his being told, as he had promised to carry the news to General Hancock. The Indians held a powwow, and thereupon Bull Bear and Roman Nose said to Gerrier: "Go back and say that we are going, every one of us." The soldiers and the Indians were camped about a quarter of a mile apart. The fresh horses were returned to Gerrier and Bull Bear went halfway with him, to insure his safety, and then exclaimed, "Go." Gerrier went, and rapidly.

Night had fallen, and Gerrier could hear Roman Nose singing a song in the hostile camp. The officers asked what the singing meant. "That song," said old Dick Curtis, interpreter at Fort Larned, with a grin on his face "is the song they sing when they get scared."

General Hancock ordered Custer to surround the camp, which was done. The tepees had been left standing. Only one Indian, an insane girl about fourteen years old, was found in the

camp. Gerrier accompanied Custer by request. The women and children had left hours before the conference took place between the Indians and General Hancock. Next morning Custer was ordered to pursue and overtake the women and children, but not to fire upon them, except in self defense. The Indians were followed to the Smoky Hill, where it was learned they were raiding and killing along the stage route. General Hancock moved with his command to Denver, leaving Custer and five or six troops of Seventh cavalry in the field. There were occasional skirmishes, but the cavalry horses were too poor for pursuit.

While moving in the direction of Fort Wallace with Custer, Gerrier was riding ahead in the prairie. He saw a good cavalryman's boot on the ground and dismounted to get it. Inside was a foot and part of a man's leg! Circling low over the prairie were a lot of buzzards. Gerrier knew the sign, and spurring his horse soon came upon the bodies of Lieutenant Kidder and his men, all frightfully mutilated by the Indians, and partly devoured by the wolves and birds of prey. They had been killed by a Sioux war party. The men fell side by side at the head of a shallow draw, the Indians occupying a higher position, and easily slaughtering them. Gerrier was surprised at finding an Indian scalp lock, to which was attached a brass ring. He later learned that this was the scalp of Red Beads, a Sioux scout with Lieutenant Kidder. He had been killed by his own tribesmen who were unwilling, however, to take as a trophy the scalp of one of their own people.

When Custer reached Fort Wallace he was placed under arrest for shooting a number of his own men for desertion. Because of the demanding hardships of the campaign, there had been numerous desertions among the troopers. Custer feared that his entire command was in peril unless the desertions should be checked, and he resolved upon death punishment.

"I was riding in a wagon, my horse having a sore back, when I heard Custer inquiring for me," said Gerrier. "I knew what was up and did not wish to participate in any way in what was going to happen. The driver of the wagon said that he had not seen me, and I lay low. I heard Custer giving orders to Major Joel Elliott to overtake and shoot the deserters who could then be seen far out in the prairie moving away on foot. The men were out of sight when the shooting took place. The ambulance had been gone about an hour when it returned with the wounded."

Custer was relieved of his command and sent to Fort Harker. The command was given to Major Elliott. Gerrier now changed his employment a number of times, going as far as Wichita, Kansas, to hunt Indians for Colonel Wyncoop. General Sanborn of

(Oklahoma Historical Society)

STARVING ELK, CHEYENNE

Lived on the Cheyenne-Arapaho Reservation, 1880's

the Medicine Lodge Treaty commission gave him $50 to go down on Sleeping Bear creek and persuade the Cheyennes to come in for rations and a talk. For General Carr at Adobe Walls, he started with dispatches to General Sheridan at Camp Supply, in December, 1868. Sheridan had gone south. Gerrier fell in with some of Custer's scouts, Jack Stillwell, Jack Corbin, Jimmy Morrison, and Hard Rope, the Osage, and went with them to Fort Sill. Then Gerrier pulled out for Fort Lyon, after advising Sheridan and Custer that their plan to disarm the Indians and confiscate their ponies was impracticable, as the Indians would fight them to the death. Accompanied by John Hanley, a scout, Gerrier expected to find General Carr in his camp on the Palladora. This trip came near costing him his life.

All that Gerrier and Hanley found at Palladora was an arrow on the chimney of a log house, pointing downward. Here their wit failed them, as the arrow was intended to show that food and forage were stored in the house. Gerrier and Hanley merely cursed their luck and rode away. They were without food, but had a good supply of coffee. They gathered grains of corn that had fallen where Carr's horses had been fed, and parched the corn. They had gone only a short distance on their way to Fort Lyon when Hanley's boots "run over" so badly that his ankles grew raw and bleeding from chafing. Hanley's horse had long since fallen by the way. They had lost three days at Palladora by reason of blizzard that came in on an afternoon so warm that they were in their shirt sleeves an hour before its arrival. Gerrier, to save Hanley's life, relinquished his mule. They travelled hard for eight days without food. After the third day, Gerrier said that his excruciating hunger abated. Even his skill as a marksman forsook him. He saw antelope in abundance, but missed every time he shot. His trousers ripped loose at the seams; he was without needle or thread to sew them. Getting astraddle a buffalo robe, the wool inside, he drew the robe round his waist and fastened it to his belt.

Hanley was unable to walk, and growing weaker and weaker. He had abandoned hope, and was constantly falling asleep. Once, while Gerrier was picking the trail, the mule wandered away into the canyon, and, Gerrier, worn and exhausted, had a heartbreaking time finding Hanley. Gerrier changed his tactics, and now got behind the mule, driving him forward at a trot. The last night out from Colonel Bent's settlement on the Purgatoire, he told Hanley if they travelled all night, they would reach Bent's next day. This cheered Hanley, who begged for sleep. Gerrier let him doze an hour or so, but would not let him fall sound asleep, as he feared he might be unable to rouse him. They reached Bent's stockade at daybreak. Food was given to them carefully, and in a few days they were fully recovered.

Colonel Bent died in May, 1869. He married three Cheyenne women, all sisters. The first, who was the youngest, was the mother of Charles Bent, the notorious leader of the Dog Soldier band of the Cheyennes. This wife left Colonel Bent. The oldest of the sisters was the mother of George, Robert, Julia and Mary Bent.

For several years Gerrier was a trader at Fort Supply for Tracey & Tappan & Lee & Reynolds, and in 1871 he followed the Cheyennes and Arapahoes to their agency at Darlington, Oklahoma, and ever since has lived in that vicinity. He married Julia Bent in 1875.

Gerrier preferred to go alone when travelling in a hostile Indian country, choosing night rather than day. He said that where there was more than one man, each depended more or less upon the other to watch for danger, while a man travelling alone was compelled to keep his eyes open all the time to save his scalp. Gerrier generally rode a mule, especially on long journeys, having found that they were tougher and more dependable than a horse, and in a week's time could cover as much ground. In addition to his gun, Gerrier carried a strong Cheyenne bow and a bundle of arrows, upon which he greatly relied for concealed fighting in the brush. There was no boom of exploding powder when an arrow was shot, and often it was hard to tell from which direction the arrow had come. At close range the bow and arrow was an effective weapon in the hands of a skilled bowman.

The war parties of the Sioux, Cheyennes, Arapahoes, Kiowas, and Comanches always carried bows and arrows, spears and tomahawks, to supplement their guns. At 300 feet a warrior could use his bow and arrow with dangerous certainty. Their spears and tomahawks were drawn in close encounters, the spear never being thrown. When an Indian boy reached the age of 12 or 14 years, he went out with the war parties, not to fight, but to inure himself to hardship and grow confident in the face of danger. Each boy attached himself to some warrior of repute. At the age of 17 or 18, the boys were taught how to take strategic advantage in battle, according to the Indian mode of fighting. Until they became full-fledged warriors, the young men were the camp servants of the warriors.

Gerrier was intimately acquainted with Charles Bent, who was half white and well educated, but the most bloodthirsty outlaw that ever roamed the plains. Because of his ability and daring, he led the Dog Soldiers, who were always at war. Bent was educated at Webster College, St. Louis, Missouri, before the Civil War. At the Sand Creek fight, he was promised protection and then struck over the head with a cavalry saber and pain-

fully wounded. He swore vengeance, and told Gerrier that he intended killing as many white men as possible.

There is a plains story that Bent was shot and killed in a fight with soldiers. Gerrier said this was untrue, and that Bent died of typhoid fever about December, 1867, on a small tributary of Salt Creek, due north of where Fort Supply was afterwards established. An Indian pointed out to Gerrier a tree ten or twelve miles from Supply in the branches of which Bent's body had been placed, according to the Cheyenne burial custom.

Most Indians, and most persons that live among them, are superstitious. Gerrier said that he never believed in these things, though premonitions had caused him a number of times to act contrary to his judgment. He stood in great fear of cholera and while stationed at Fort Wallace put in much of his time hunting that he might be away from the garrison. He was a long way from the garrison one day, hunting antelope. He was thirsty and could find no streams. He saw a crawfish in a gully, and began working his hand through the sand, finally to his elbow. He struck water, and, sinking his pistol scabbard in the hole, soon quenched his thirst. Then laid down in the sun and smoked.

Far away on a hill he saw a man. He unsaddled his pony and slid down into a ravine. Other objects, seemingly appeared on the hill. If they were Cheyennes, Gerrier was safe; if they were Sioux, he was at the end of his trail. He resolved to "play Indian" and, tying his long hair in two braids, he mounted his pony and rode into the prairie, and dismounted and began making Indian signs with his blanket. To his astonishment, the men changed into buffalo and galloped away.

Gerrier returned to his hiding place in the ravine, greatly disturbed over his experience. It seemed strange that he should have mistaken the buffalo for men. As a matter of fact, it had been his purpose not to return to Fort Wallace. He made a long Indian prayer, and asked himself what he should do. He was convinced without reason that there were hostile Indians in the direction he had been travelling. He mounted his horse and rode back to Fort Wallace.

Several days later, Gerrier learned that the Sioux and all the Cheyennes, both the southern and the northern tribes, on the day he saw the buffalo were making "medicine" arrows on Pawnee Fork, and undoubtedly would have seen and killed him, had he continued his journey.

THE "MIDDLE WAY": THE FARMERS' ALLIANCE IN INDIAN TERRITORY, 1889-1896

By H. L. Meredith *

For more than a decade before the Farmers' Alliance entered Indian Territory in 1889, the Alliance movement struggled through an early period of growth in the southwest. Although the organization dated from 1875 in Lampasas County, Texas, the real period of growth that affected the entire southern portion of the United States began in 1887.[1] In that year the Alliance was a victim of intense factionalism. Charles W. Macune, president of the Texas order, used the opportunity of the annual meeting at Waco to avert a split in the movement by proposing an imaginative plan of expansion and business enterprise that proved to be a departure from the individualism of the farmer of an early period in America. First, he desired extension of the movement into other states as the National Farmers' Alliance and Co-operative Union of America and then outlined a scheme for co-operative buying and selling through a system of Alliance exchanges.[2] Macune envisioned an agrarian organization, whose primary purpose was economic protection of the farm element, and thereby he projected that, ". . . the Alliance be a business organization for business purposes and as such necessarily secret, and as secret necessarily non-political."[3] This became the basic position of the Alliance through its early period of development.

The Alliance spread rapidly through the southern states, either by combining with already existing orders, such as the Farmers' Union of Louisiana and the larger Agricultural Wheel in Arkansas, or through the work of Alliance organizers. Throughout the south, the Alliance experienced success far in excess of their fondest expectations. Farmers responded for a number of expressed reasons such as price fixing, absentee landlordism, high interest rates and taxes, but primarily because of the poor mar-

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1 W. Scott Morgan, *History of the Wheel and the Alliance and the Impending Revolution* (St. Louis: C. B. Woodward and Company, 1891), p. 281; John D. Hicks, *The Populist, A History of the Farmers' Alliance and the People's Party* (Minneapolis: University of Minnesota Press, 1955), p. 104.

2 Charles W. Macune, "Farmers' Alliance," [typescript], Charles W. Macune Collection, Archives, Barker History Center, University of Texas, Austin, Texas; also see H. L. Meredith, "Charles W. Macune's 'Farmers' Alliance'," *University of Texas Library Chronicle*, VIII (Spring, 1966), pp. 42-45.

3 *National Economist* (Washington, D. C.), March 14, 1889.

keting conditions that impinged upon their attempts to establish themselves.[4] So the time was ripe for a movement that showed or promised a means of alleviating these problems. It was in this environment that the Alliance first entered the Indian Territory.[5]

Indian Territory, as it had been reduced to in 1889, was settled in a much different manner from the organized rushes of adjoining Oklahoma Territory. White settlers drifted into the territory without official recognition, until in 1888 there were a reported 38,500 outlanders living among the Five Civilized Tribes.[6] In the report of 1889, 108,000 out of a total population of 175,000 on the reservations of the territory were outsiders.[7] Since the various tribes held land communially, the squatters moved onto the reservations and took over large portions of Indian Territory without any sanction from the tribes or the Federal government. Others in large numbers, however, paid for permits and crossed into the territory and began to farm the land. It was this base of white farmers who made up the primary base for the coming of the Alliance.[8]

In 1889, the first of these organizers moved into Indian Territory from Texas to interest the farm population in the opportunities of co-operative business action controlled by the farmers themselves. One of the first sub-alliances was established at Norwich. The farmers there managed to collect a reported $4,000, although this figure was probably inflated, through the sale of capital stock to establish the Farmers' Alliance Store Company.[9] Other Alliance stores followed the Norwich example throughout the southern portion of Indian Territory. Model charters drawn up by the Alliance in Texas were used to establish these business enterprises. These charters called first for the election of officers by the local Alliances, including a president, a business manager, a treasurer, a salesman, and five directors. Stock was issued in five dollar, transferable, non-withdrawable shares. Only Alliance members could purchase the

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[4] W. L. Garvin and S. O. Daws, *History of the National Farmers' Alliance and Cooperative Union of America* (Jacksboro, Texas: J. N. Rogers and Co., 1887), pp. 48-50.

[5] The Alliance membership reached over 1,000,000 farmers by 1890.—Robert L. Tontz, "Membership of General Farmers' Organizations, United States, 1874-1960," *Agricultural History*, XXXVIII (July, 1964), p. 149.

[6] Roy Gittinger, *The Formation of the State of Oklahoma, 1803-1906* (Berkely: University of California Press, 1917), p. 177.

[7] *Ibid.*, p. 178; Arrell M. Gibson, *Oklahoma, A History of Five Centuries* (Norman: Harlow Publishing Corporation, 1965), pp. 284-285.

[8] John S. Ferguson Interview, "Indian-Pioneer Papers," Phillips Collection, Bizzell Library, University of Oklahoma, Norman, Oklahoma; Laura Edna Baum, "Agriculture Among the Five Civilized Tribes, 1865-1906," unpublished Master's thesis, University of Oklahoma, 1940, p. 64.

[9] Norman *Transcript*, November 16, 1889.

stock. One patron could hold only one hundred shares and he was limited to one vote. The profits made by the co-operative were declared as dividends at the end of each quarter. Non-stockholders received only half of the profit that the store made on his purchases, while a stockholder received back the full amount of the purchase price on his goods. The profit from the sale of goods to non-members was invested in capital stock.[10]

In places where the stores were managed well and kept on a cash basis they were usually successful. But, as John S. Ferguson, a member of the Alliance in the Chickasaw Nation, recalled all such ventures were not destined for success. He noted:[11]

> During the first few years I lived here, I farmed. We got such low prices for our products that we decided to organize a Farmers' Alliance, the purpose of which was to receive more for what we bought. In connection with this we had a Farmers' Alliance Store established at Davis. Anybody belonging to the Alliance could trade at the store and pay in the fall when the crops were gathered. This organization died in its infancy though. The store went into bankruptcy the first year. They would ship in a carload of flour, and it was hardly enough to go around. The farmers carried it off in a very short time, and nobody paid for it. So it wasn't long until the store had all its goods out on credit, and could no longer exist.

In this and other cases, the absence of cash was the farmers' greatest problem and the pressure for credit was so great, many of the stores quickly failed because of financial strain this placed upon them.

The Alliance in Indian Territory continued, however, to charter more sub-alliances. The first president of the territorial organization, H. C. Randolph, pushed for a strong movement north of the Red River.[12] By the spring of 1890 there were but three established county Alliances; these were Tishomingo, Panola, and Blue.[13] These and later ones followed much the same sort of organizational plan. Any number over five men eligible for membership could establish a sub-alliance. As with the business organization, the first step was to elect officers, including a president, vice-president, treasurer, and a door keeper. The last of the offices was necessarily important because of the secret nature of the Alliance.[14] Second, each member paid an initiation fee of fifty cents. Then these men decided upon a regular meeting place and time and finally passed a resolution instructing the secretary of the organization to apply to Randolph, President of the Territorial Alliance, at Purcell for dispen-

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10 "Model Charter for County Alliance Business Associations," in Garvin and Daws, *History of the Farmers' Alliance*, pp. 153-158.

11 Ferguson Interview, "Indian-Pioneer Papers."

12 *Territorial Topic* (Purcell), April 17, 1890.

13 *Ibid.*

14 *Ibid.;* Macune "Farmers' Alliance."

sation to be recognized.[15] Thus a charter was granted and the local body became associated with the national Alliance system.

The organizational plans of the movement proved only as effective as the organizers themselves. In Indian Territory most of these men were not professionals, but farmers or professional men. The Reverend D. L. Holsenbake, one of the most successful of these organizers, worked throughout southern Indian Territory and even into Oklahoma Territory around Moore and Norman.[16] Even after the initial organization was set up, however, there still remained the organizational problems of combining the sub-alliances to form a county co-operative. With broader backing, business ventures proved somewhat more successful than many of the earlier ones.[17]

As the Alliance advanced into the eastern portion of the territory, it clashed with the established Agricultural Wheel, which had come into Indian Territory from Arkansas. This organization had objectives similar to those of the Alliance, namely, "the improvement of its members in the theory and practice of agriculture, and the dissemination of knowledge relative to rural and farming affairs."[18] Added to this function was "action in concert with all labor unions or organizations of laborers and to secure beneficial legislation to farmers."[19] The Wheel began as a state organization in Arkansas in 1883 and by 1885 had established ten Wheels in Alabama, three in Mississippi, and four in Texas. The National Wheel had merged with the Southern Alliance in 1889.[20] Now in 1890, the Wheel and Alliance in Indian Territory came to the same juncture as the national organizations. So in August of 1890 in Caddo, the two bodies met in order to bring about consolidation.

By prearranged agreement, the two convened separately on August 5 for their respective annual sessions. The Wheel, presided over by A. N. Nuttall, and the Alliance, headed by H. C. Randolph, then adjourned their respective meetings and the two groups met in a joint session. Each order occupied a separate side of the house and the next day, on August 6, a motion to consolidate carried unanimously. The newly created organization was in turn named the Territorial Industrial Union and was truthfully an extension of the Alliance. The members de-

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15 *Territorial Topic*, April 17, 1890; *National Economist*, June 7, 1890; "The Farmers' Alliance in the Southwest," *Harper's Weekly*, XXXIV (December 13, 1890), p. 971.

16 *Territorial Topic*, May 22, 1890.

17 *Ibid.; Indian Chieftain* (Vinita), March 12, 1891.

18 Morgan, *History of the Wheel and the Alliance*, p. 292.

19 *Ibid.*

20 *Alliance Courier* (Ardmore), January 4, 1893; Hicks, *Populist Revolt*, p. 112.

cided that none of the debts of the former orders were to attached to the new organization.[21] Then they elected A. N. Nuttall of Caddo County president and H. C. Randolph vice-president. The *Territorial Topic,* published at Purcell, was adopted as the official newspaper. Further, the session agreed to endorse the sub-treasury plan, the heart of the Alliance legislative program and denounced, "the efforts of any person who tries to prejudice the minds of the Indians of this Territory in regard to our order trying to take possession of this country."[22]

It was during this period in the early nineties that the farmers of the Alliance evolved a distinct ideology, built around the causes for farm distress and prescriptions for the relief of agriculture. Although there were inconsistencies in their outlook and program, the Alliance men failed to note them, believing they were forced into these extreme positions by the growth of the trusts. They called for a doctrine of equal rights for all and no special privileges. Yet, the core of the Alliance program, the sub-treasury plan called for class or special interest legislation.[23] Macune introduced this concept as a part of the Ocala Platform of 1890 and it was generally accepted as the key measure in the Alliance solution for the farm problems. It called on the national government to maintain a system of cotton and grain warehouses. Once the farmer stored his product, he received a warehouse receipt. In turn, he could give these to the government agency for a loan of seventy-five percent of the value of the stored crops. The farmer then had one year in which to pay back the loan and one percent interest with the profits from the sale of his crops.[24] Because of the government-owned warehouses, the farmer could sell his crop at any time during the year, rather than just in the fall season with its depressed prices.

The Alliance program also espoused the old Jeffersonian principle of economy in government with no national debt. It stated that they were, "unalterably opposed to a national interest-paying debt.[25] The Alliance principles also included local issues. They favored the sale of the Cherokee lands west of the 96° Longtitude at a rate of $3.00 an acre and to "abrogate the

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[21] *Indian Citizen* (Atoka), August 16, 1890; *Alliance Courier,* January 4, 1893.

[22] *Territorial Topic,* August 14, 1890; *Indian Citizen,* August 16, 1890; also note John D. Hicks, "The Sub-Treasury: A Forgotten Plan for the Relief of Agriculture." *Mississippi Valley Historical Review,* XV (December, 1928), pp. 355-373.

[23] *Indian Chieftain,* April 23, 1891.

[24] Macune, "Farmers' Alliance," Macune Collection; Ralph Smith, "The Farmers' Alliance in Texas, 1875-1900," A Revolt Against Bourbon and Bourgeois Democracy," *Southwestern Historical Quarterly,* XLVIII (January, 1945), p. 365.

[25] *Indian Chieftain,* April 23, 1891.

15th article of the treaty of 1866" so as to distribute the money among the Cherokees. They wanted better roads and a division of counties into sections. Finally, demands were made for direct taxes on property and incomes, as well as a "uniform system and price for travel and transportation."[26]

Other demands they put forth, such as abolition of the national banks and the issuance of treasury notes as legal tender, an old Greenback measure, were widely held in most agrarian circles. They wanted laws to completely prohibit alien ownership of land. Certain county Alliances went so far as to demand that, "all means of communication and transportation be owned by the government."[27] In all, the program of the Alliance was reformist in nature, but certain portions of it were truely radical, especially those that demanded government ownership. In a very real sense the program was an anomaly of reactionary and revolutionary ideas which could have only compounded the problems they faced. In truth, the Alliancemen were reacting in fear of the financial interests which they considered, "dangerous to the best interests of the country." They believed that if the government fostered the financial combinations, they would, "eventually enslave a free people and subvert and finally overthrow the great principles bought and paid for by the blood and treasure of our forefathers."[28] So again in a contradictory manner, they demanded that the government actively support the agricultural segment of the country while withdrawing support from the financial and industrial segments.

The Alliance openly attacked several groups, such as the Missouri, Kansas, and Texas Railroad, stating that it charged excessive rates and called for sub-Alliances throughout the Territory to "stir up this matter."[29] The cattlemen were also branded as enemies of the farmers. The Delaware District Alliance barred cattlemen from the organization stating that:[30]

> Realizing the fact that the aggressiveness and power of great capitalists and corporations under the present industrial system and the immense power of money to oppress, will inevitably lead to the pauperization and hopeless degredation of the toiling masses, it is therefore imperative, if we desire to enjoy the blessings of life, to denounce the Texas cattle traffic as a powerful monopoly.

At the same time, the Alliance voiced its opinion on race relations. The Alliance editor of the *Indian Chieftain* stated that:[31]

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26 *Ibid.*
27 *Ibid.*, May 7, 1891.
28 *Ibid.*, April 23, 1891.
29 *Ibid.*, May 7, 1891.
30 *Ibid.*
31 *Ibid.*, March 5, 1891.

> The negro is asking for a great proportion of our tribal property and all the rights of Cherokee citizenship and these matters are properly in and part of the political questions before the Cherokee citizens, and therefore, are the lawful property of the Cherokee Alliance. Who had or who gave them the right to hand over the Alliance order to the colored race in the Cherokee Nation?

In April, the same paper, announced that the Alliance had, "resolved that white children be allowed into school on the payment of a reasonable fee, to advance the social intercourse of the races."[32] So again the Alliance principles carried the contradictions that riddle its thought. These were the thoughts of the small white farmers, who demanded anything to better their situation at the expense of those outside their ranks.

Many of the conflicts within the Alliance program developed when the new Populist party emerged in the early 1890's. Although the principal Populist activity was relegated to Oklahoma Territory, strong third party sentiment developed in Indian Territory.[33] As early as the spring of 1890, the editor of the *Territorial Topic* tried to clarify the Alliance position outside the Populist political activity. He wrote, first that, "we put the Alliance before party," and went on to elaborate that, "First stand by the principles of the Alliance, second, stand by the friends of the Alliance; third, in whatever political action you may take or desire to take do it for the good of the Alliance."[34] By early 1891, the political fever mounted as a strong third party movement attempted to challenge the National and Liberal parties in the Cherokee Nation. Yet many of the members held with the original Alliance concept that: "The Farmers' Alliance is not and cannot interfere in any manner with the most perfect freedom of its members as to their political action."[35] This was especially important to the Democratic members of the Alliance, who led the struggle to keep the order non-partisan. But the Populist spirit became so strong that President Nuttall was forced into a public statement on the subject. Rather than commit himself and the Alliance membership to one party, he wrote that it was, "not a violation of the constitution to participate in the politics of the country, but rather that it is their duty to do so.[36] The President of the National Alliance, tried to keep the organization from splitting over the issue by making a forceful

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[32] *Ibid.*, April 16, 1891.

[33] Elmer Fraker, "The Spread of Populism into Oklahoma Territory," unpublished M. A. thesis, University of Oklahoma, 1938, p. 41. See also Elmer Fraker, "Election of J. Y. Callahan," *The Chronicles of Oklahoma*, Vol. XXXIII (1955).

[34] *Territorial Topic*, May 22, 1890.

[35] Norman *Transcript*, February 7, 1891; *Indian Chieftain*, April 2, 1891; *ibid.*, April 30, 1891; *ibid.*, May 21, 1891; *ibid.*, June 11, 1891.

[36] *Indian Chieftain*, June 25, 1891.

statement on the matter. L. L. Polk stated that: "We are now approaching the most critical period in our existence as an order. The demoralizing elements, which always enter into a political campaign, are already being marshalled by the enemies of our order, with a determined purpose to divide and disrupt us, if possible."[37] Much the same sentiment permeates Polk's private correspondence of the period, as the pressure built to an agonizing height.[38] Thus in 1891, the Alliance still stood as a separate entity for the economic benefit of the farmer, but not without the constant pressure from the Populists.

The Alliance went through even more change through the summer of 1891. After the consolidation of 1890 between the Wheel and the Alliance, the organization had assumed the name of Territorial Industrial Union, but there was no record as to whether it ever applied for a charter or not. However, in the annual session held in Atoka in August, 1891, the name and style of the order was again changed by adding the name, Farmers' Alliance, making it the Territorial Farmers' Alliance and Industrial Union. At this time, the organization was issued a charter by the National President, Polk, on August 27.[39] At the same time, the Alliance moved closer to the Populist position, demanding free and unlimited coinage of silver; an increase of circulating legal tender to not less than $50 per capita; a graduated income tax; no national debt; postal savings banks. A new, more radical plank called for confiscation of lands held by the railroads, other corporations, and aliens. This land was then to be redistributed to small farmers who would live on the land. The platform went on to call for government ownership of communication systems and common carriers, as well as, the warehouse system under the Subtreasury plan.[40]

The reason for the radical turn of the Alliance in Indian Territory and throughout the south is lost, however, without acknowledging the fact that the economic efforts, such as co-operative stores and exchanges, were largely failures by the early 1890's. Moreover, the Populist sentiment was sweeping down from its hotbed in Kansas, which created tremendous pressure from within for more radical reform measures. So, to hold the Alliance together, the leadership committed the movement to measures it had failed to espouse in the beginning.

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37 *Ibid.*, May 21, 1891.

38 L. L. Polk to J. W. Denmark, April 6, 1891, Leonidas Lafayette Polk Papers, Southern Historical Collection, University of North Carolina, Chapel Hill, North Carolina; C. W. Macune to J. W. Denmark, June 28, 1892, *ibid.*

39 *Alliance Courier*, January 4, 1893.

40 Platform adopted by the Confederated Industrial Organizations, February 22-24, 1892, Polk Papers; *People's Voice*, August 4, 1892.

By 1893, the Alliance, still something of a power in the territory, continued to work for the economic betterment of its members. There were still thirty-one active locals in that year, that were supported by hundreds of farmers.[41] For example, the East Pickens County Alliance attempted to come to terms with the Ardmore flouring mill to alleviate the farmers' cash drain. It sought an agreement whereby the mill would grind the Alliance members' wheat for one-sixth of the grain.[42] The sub-alliances also worked out arrangements with hotels for reduced prices for meals and with general stores for dry goods, groceries, and hardware. In all the cases, the Alliance tried using its strength in numbers with exclusive patronage of those establishments that gave the Alliancemen special rates.[43] In some counties, the Alliance still owned such properties as their own cotton yards, but this was no longer their main thrust. Rather, as the *Alliance Courier* stated it: "Boys, keep in the middle of the road, and patronize the places that your county has selected.[44] At this point, their activities proved more successful than the ambitious attempts at business enterprise in the late 1880's and early 1890's.

Even these economic pursuits were not enough to keep the Alliance from decline. The third party advocates had taken much of the Alliance's initiative and left it a weak distortion of its earlier self. This may be noted in a comparison of Alliance principles and Populist demands in 1894. The Populists continued to speak in terms of monetary reform, government ownership of common carriers and communications, as well as, the confiscation and redistribution of land. The Alliance in Indian Territory put forth a very general set of principles. They spoke in terms of political economy, "equal rights and special favors to none . . ., harmony and goodwell for all mankind." Their whole program was summed up by the statement: "In things essential, unity; and in all things, charity." There were no specific demands sponsored by the Alliance. With this inoffensive program,

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[41] *Alliance Courier*, November 30, 1893; listed as Abar Union No. 59; Ardmore Union; Bear Creek Union; Blue County Alliance; Chapel Union; Cox Union No. 85; Delaware District Alliance; Hopewell Union No. 47; Howard Union No. 112; Independent Union; Kiamichi County Lodge No. 41; New Hope Union; Newport Union No. 10; Oil Springs Union; Oseuma Union No. 132; East Pickens County Alliance; North Pickens County Alliance, South Pickens County Alliance; Pleasant Mound No. 138; Pontotoc County Alliance; Prairie Union No. 105; Rehobeth Union No. 202; Rock Creek Union; Salt Creek Union No. 10; Scullyville County Alliance; Serwyn Union No. 210; Shady Grove Union No. 193; Spring Creek Union; Sulphur Springs Union; Tishomingo County Alliance.

[42] *Home, Field, and Forum*, I (July, 1893), p. 103; *Alliance Courier*, January 25, 1894.

[43] *Alliance Courier*, September 6, 1895.

[44] *Ibid.*

it was true when Mrs. Sam H. Hays, wife of the Secretary of the Territorial Alliance, answered her own rhetorical question: "Who is there in all this broad land and country that can speak derisively of the Alliance organization? None but the wicked at heart, and those who say in their hearts there is no God."[45]

In this period, the only controversy the Alliance faced continued from within its own ranks. The *Alliance Courier* contained numerous letters to the editor and editorials that reflected these last spasms of life within the organization. The paper condemned men such as Giles Ligon, who was labled a "third party political agitator—who was responsible for the failure or withdrawal of six Alliances in Indian Territory within the last six months."[46] But the search for scapegoats was of no real importance, for it was freely admitted that the "condition of the Alliance in this part of the country is by no means flattering."[47] But as one Alliance member stated, knowing that the organization was failing: "Even though the name Alliance should not live, its principles will never die, and the influence that it has thrown around civilization will go down in history, and continue to be a blessing to all future generations."[48]

Although the idea that the Alliance influence was a blessing to later generations is a debatable one, its influence carried into the twentieth century in the form of the National Farmers' Educational and Co-operative Union and similar organizations. The Alliance's original program of economic self help was a middle position between the intense individualism of the early period of the frontier and the radical program of the Populists. The Alliancemen of Indian Territory had sought one of America's last frontiers only to see it close around them. In that period of rapid change, they sought to protect themselves by what means they saw beneficial to their special interest. But, it would be a mistake to say that they accepted what were in many cases undemocratic principles of their own volition for they felt a need to preserve their land and position. The presence of the Alliance movement in itself was evidence that these people sought a middle way between reaction and revolution.

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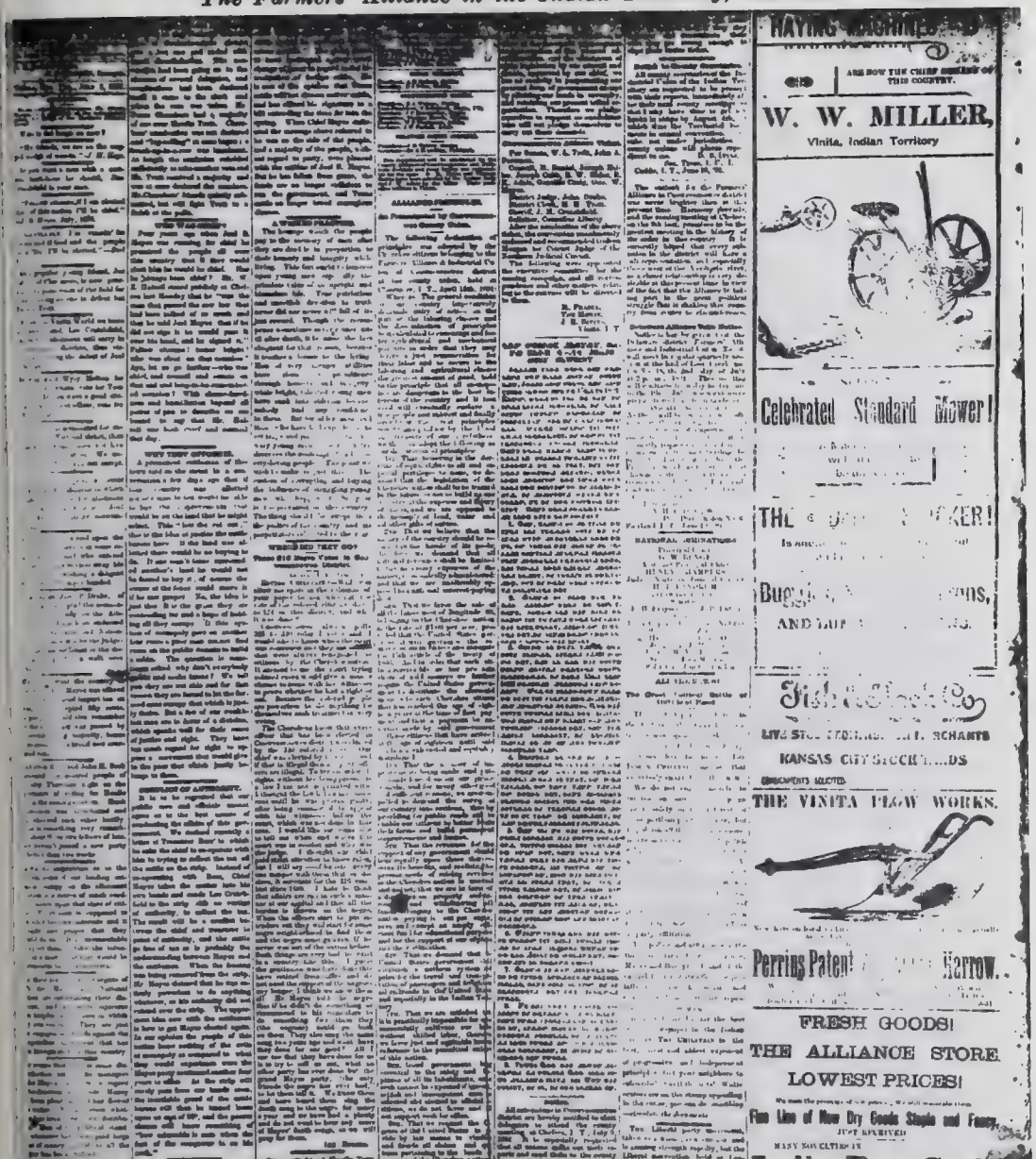
[45] *Ibid.*, July 12, 1894; *ibid.*, August 2, 1894; *ibid.*, August 30, 1895.

[46] *Ibid.*, February 22, 1894; also see Terry Paul Wilson, "The Demise of Populism in Oklahoma Territory," *Chronicles of Oklahoma*, XLIII (1965), pp. 266-267.

[47] *Alliance Courier*, November 15, 1895.

[48] *Ibid.*, January 24, 1896.



(University of Oklahoma Library)

THE INDIAN CHIEFTAIN
July 2, 1891

Published at Vinita, Indian Territory, this editorial page shows an advertisement of "The Alliance Store," Chouteau, Thomason & Company at Vinita. The same page devotes a column headed "Alliance Principles," giving the declaration adopted by Cherokee citizens belonging to the Farmers' Alliance & Industrial Union meeting held at Claremore, I.T., April 15, 1891.

NOTES FROM THE DIARY OF SUSAN E. FOREMAN

*By Linda Finley**

Introduction

Susan E. Foreman was the daughter of Reverend Stephen Foreman who lived in Park Hill, Cherokee Nation. She attended the Fayetteville Female Seminary, and, upon completing her education here, she taught the Cherokee neighborhood school at Webber's Falls beginning in 1862. Susan's diary is of interest not only because her notes are typical of almost any girl away at school, but also because she continued the tradition of education.[1]

A note on a rural historic project to preserve an old cemetery carried out by the Mt. Comfort Club of Washington County, Arkansas, was published in the *Ozarks Mountaineer,* August, 1964. A reference to the Fayetteville Female Seminary is given as follows:

"A little-known burial at *Mt. Comfort* is that of *Sarah B. N. Ridge.* She was the *wife of John Ridge,* chief of the Cherokees, who was murdered in June, 1839, along with his father, *Major Ridge,* and his *uncle, E. C. Boudinot,* because of their consent to the removal of the Cherokees from Georgia and Tennessee to the Indian Territory. John Ridge had met and married Sarah Northrup when he was in school in New England. After his death, she moved her family to Fayetteville, Ark., where she later died. Her chief contribution to the history of northwest Arkansas was that she brought with her, when she moved to Arkansas, a missionary who had been teaching her children in the Indian Territory. This was *Sophia Sawyer,* who founded the Fayetteville Female Seminary, one of the series of schools that gave Washington County an educational reputation that some 30 years later resulted in the establishment of the state university of Fayetteville."

A copy of the diploma of Miss Mary E. Stone, the last graduate of Miss Sawyer's Seminary was sent to *The Chronicles* by the late Mrs. W. R. Holloway of Tulsa and appears here on

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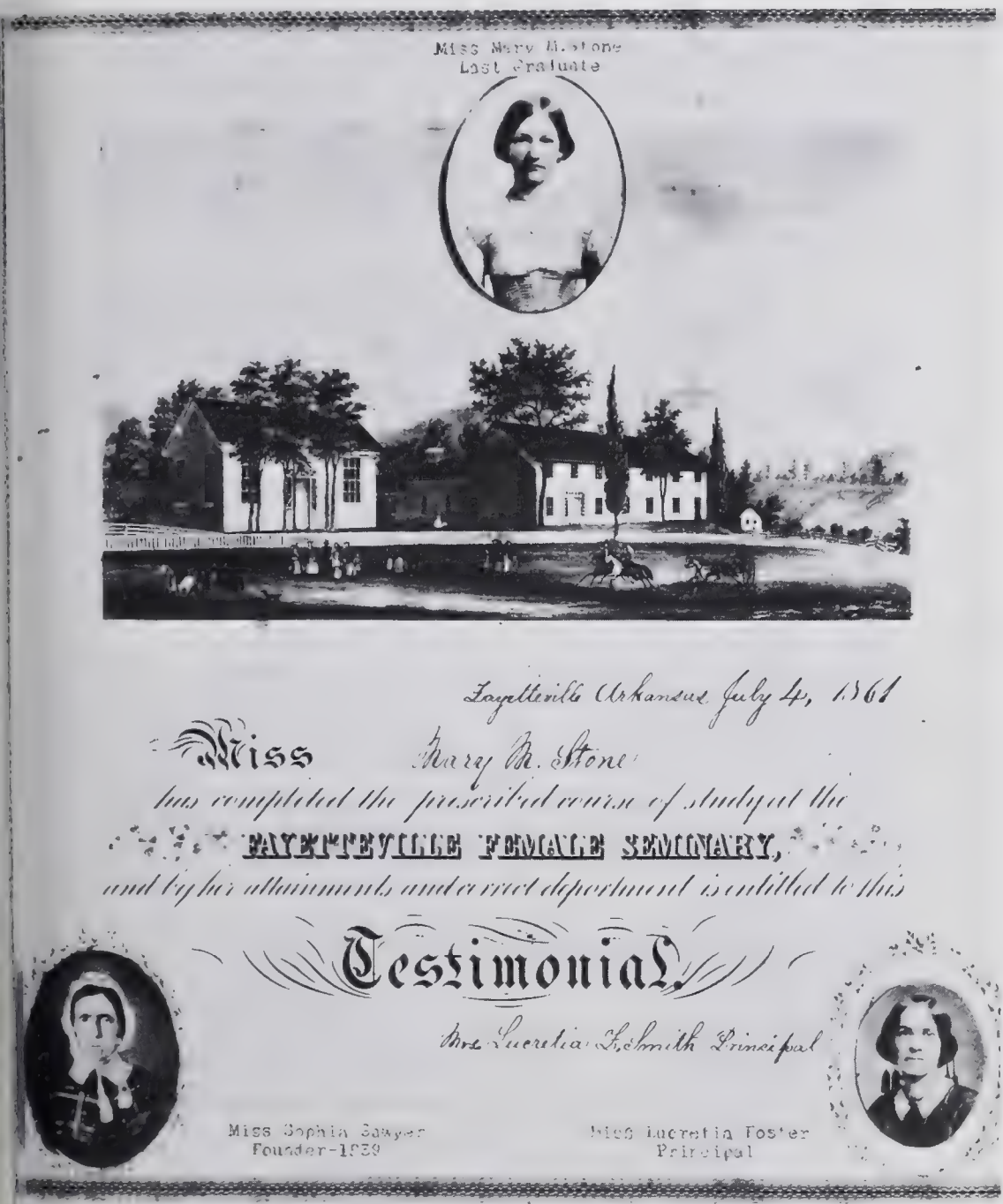
*Linda Finley, a young writer of Dyersburg, Tennessee, makes this contribution of "Notes From The Diary of Susan E. Foreman" from the original diary now in the possession of her aunt by marriage, Mrs. W. T. Finley, of Bacone, Oklahoma. Mrs. Finley (Lulu Lipe before her marriage) is the great granddaughter of Rev. Stephen I. Foreman, historically noted Cherokee minister before the Civil War.—Ed.

[1] The "Life of Miss Sophia Sawyer, Founder of the Fayetteville Female Seminary," by Carolyn Thomas Foreman, was published in *The Chronicles of Oklahoma,* Vol. XXXII (Winter 1954-1955).



(From print in Gilcrease Museum)

FAYETTEVILLE FEMALE SEMINARY, ARKANSAS

Print of the noted Seminary of Fayetteville, Arkansas, shown on the "Testimonial"—diploma—of Mary M. Stone who graduated at the beginning of the Civil War, 1861.

the opposite page. Mrs. Holloway noted that the photostat is from a small glossy print found in the "Peter Pitchlynn Papers" at Gilcrease Institute, Tulsa, Oklahoma, in April, 1957. On the reverse side of the print appears the following information: "William Quesenbury's sketch of Fayetteville Female Seminary, the only picture of that early institution which is known in existence, presented by William S. Campbell of Fayetteville, Arkansas, — Lucille Price Turner."

Susan Foreman's diary gives insight into the fear and upheavel caused by the Civil War among the Cherokees who themselves were divided into two factions — the Union side and the Confederate. The diary opens with a note on the classes taught by Miss Mary Daniels — physiology, algebra and history — all of these attended by Susan with the date September, 1860. The list of her classmates is given until January, 1861.

—The Editor

Susan Foreman's Diary

Female Seminary in Fayetteville, Arkansas

Physiology Class, Miss Mary Daniels, Teacher

Miss Mary Kate Anderson	Miss Cammie Lacey
Miss Nannie Bean	Miss Ann McColouch
Miss Mary Bingham	Miss Mary McColouch
Miss Sue Foreman	Miss Lilly Paine
Miss Mary Lou Lacey	Miss Helen Severs
Miss Mary Van Winkle	Miss Hattie E. West

"First part of Physiology not studied, commenced by Jan. 1st by:

Miss Mary Bingham	Miss Lou Lacey
Miss Sue Foreman	Miss Cammie Lacey

September 1860. Female Seminary
Fayetteville, Ark.

Miss Daniel's Algebra Class:

Miss Mary Bingham	Miss Colestia Stidham
Miss Sue Breasley	Miss Josephine Routh
Miss Sue Foreman	Miss Mary VanWinkle
Miss Mat Griffin	Miss Ellen VanWinkle

Finished in January, commenced reviewing. Finished by: Miss Mary Bingham.

Miss Mary Daniels History Class — Universal:

Miss Kate Anderson	Miss Emma Pope
Miss Emma Adams	Miss Maggie Routh
Miss Mary Bingham	Miss Rebecca Raga
Miss Sue Breasley	Helen Severs
Miss Cornelia Bertholf	Miss Mary VanWinkle
Miss Sue Foreman	Miss Hattie E. West

Mary Paine died at the Seminary Jan. 12, 1861.

Time is short, soon these happy days will have fled leaving only their memory fresh in our minds. Oh, how these days will be prized by us, when if we live to be older and see the need of the Education we are here trying to acquire. "Loved" teachers, schoolmates, friends soon will part. Part to meet no more, the chain that has bound us together for so long a time will soon be broken. Oh, may we live so that when we are called from earth, we may again meet in that bright & happier world when there is no more parting.

Webber Falls School — April 1862

Mon. 7th Had eight scholars today. From 9 to 10 teach little ones. From 10 to 11 hear arithmetic. Have recess 15 min., hear 2nd readers, grammar, small arithmetic, primary geography.

Tues. 8th Only seven scholars today.

Weds. 9th Only six scholars today.

Thurs. 10th Five scholars today.

Fri. 11th Rained all day today. Had no school.

The days are passing away a little more rapidly than at first. Speed on days you will soon get me home. They don't care for me at home, else they would write to me. I don't care, I shan't care for them a bit. If they would only write to me, let me see they had not forgotten me. I would be happy to take that never to be forgotten ride.

Sat. 12th Another dull, lonely day. A week today since I left home.

Sun. 13th Capt. Clarke came here today. I stayed home and read all day.

Mon. 14th Fourteen scholars today.

Tues. 15th Thirteen scholars today.

Weds. 16th Fifteen scholars today.

Thurs. 17th Fifteen scholars today.

Fri. 18th Fifteen scholars today.

Sat. 19th Miss Emma and Ella came to spend the night and part of the Sabbath. Two weeks today since I left home.

Sun. 20th Passed off very pleasantly.

Mon. 21st Another week began, my third one. Have sixteen scholars today.

Tues. 22nd Had five new scholars today, making 24, 4 are sick. Met Mrs. Brewer today. She very kindly invited me to come to see her.

Weds. 23rd. I have 21 scholars today, quite as many as I want.

Thurs. 24th I have 20 today. E. is sick. Quite cloudy today.

Fri. 25th Gladder still, today is the last day of the week. I have 21 scholars today. My third week gone.

Sat. 26th Mrs. McDaniel died last night. I went down to see Mr. McDaniel and Mrs. Coodey & Lou.

Sun. 27th Stayed home today and slept. Quite lonely today.

Mon. 28th My 4th week began. I have 3 scholars today. Two months today since Brother was married. If I ever get forgiven for coming down here I'll never leave home again to teach school. Oh that time would fly a little faster, lessen my love for him.

Tues. 29 I had 22 scholars today, 4 are sick.

Weds. 30 I have 23 scholars today. Mrs. Drew came this morning.

MAY Thurs. 1st. Sweet anniversary of other days, would I were a child again. Had 21 scholars today.

Fri. 2nd Have 17 scholars today. Do not feel very well, shall close school early.

Sat. 3rd Came home yesterday sick. I have the measles, am all broken out.

Sun. 4th I feel some better today, the measles haven't all gone in yet.

Mon. 5th I am not able to teach today, but sent word to my scholars to come tomorrow.

Tues. 6th Have but 3 scholars this morning. I persume they do not know I am well.

Weds. 7th I have so many trials today I will have to whip before long. Today heard Fannie Van was to be married.

Thurs. 8th I have 17 today. How glad I would be if I knew they would send for me Friday.

Fri. 9th Another week is about closing & I have not heard a word from home yet. I do not know what to make of it.

Sat. 10th Passed a rather pleasant day today. Enjoyed myself finely, hope I did not do wrong.

Sun. 11th Spent the day with Mrs. Vann visiting today. Took a ride.

Mon. 12th Certainly does not care for me or he would have come & seen me. Well he has some one else to love, but that will not be. Got a letter from Pa this morning, Evarts brought it.

Tues. 13th 28 scholars today. Willie Drew brought such a pretty bunch of roses.

Weds. 14 Evarts came by today. I was so glad to see him, poor fellow, looked badly. I have 23 scholars today. I wish I didn't have any so I could go home.

Thurs. 15th 26 scholars today. Just two months till school is out.

Fri. 16th I have 23 today. Hope I shall go home next Friday.

Sat. 17th Spent a very pleasant day. Went riding with E. & C., rode 4 miles.

Sun. 18th Rather dull today. Felt chilly all day.

Mon. 19th Here I am at school again. Very dull and lonely, just like my life.

Tues. 20th It rained so hard I did not go to school today. Sewed all day.

Weds. 21st The sun shone out in all his glory this morning. Have a few scholars.

Thurs. 22nd The day has come but to disappoint me. I have 18 scholars today. The river is up.

Fri. 23rd Another long week before I go home. It may be 6 more. Rainy & cold. Have 16 scholars. I had thought to have been on my way home.

Sat. 24th Feel lonely and homesick today. Good deal of company here.

Sun. 25th Mrs. Fowler and Hanks spent the day here, had a fine time, I *did.*

Tues. 26th I have but 16 today. They are so irregular it puts me out of heart.

Weds. 28th I have but 14 today. Two weeks since E was here.

Thurs. 29th I have but few today. Fannie was married this eve. John came this eve. I'm going home.

Park Hill, Okla.

Fri. 30th Am at home today very tired and mad too.

Sat. 31st Company today, been busy all day.

JUNE Sun. 1st Went to church today. Met old friends.

Mon. 2nd Company again today. Finished my work.

Tues. 3rd Left home this morn at 8 o'clock, reached here about dark.

Webber Falls School

Weds. 4th Have six weeks to stay. Wish it were only 2, I'd be so glad. They will soon roll round. Have only 6 scholars today, others had left.

Thurs. 5th Have 12 scholars today. I am almost sick today, feel very badly.

Fri. 6th Capt. Clarke came today, I detest the man. 12 scholars again today, have 5 more Fridays to teach and then . . .

Sat. 7th Went down to Mrs. Hanks this afternoon. Spent the night with Ella Coodey.

Sun. 8th Came home this morning and went to hear preachings.

Mon. 9th Have 17 scholars today. Have a severe pain in my side.

Tues. 10th One week ago today since I left home. Brother John's birthday today. Feel a little better today.

Weds. 11th 17 scholars today. Wish I knew what to do. I wrote to Pa today to send for me.

Thurs. 12th I have 16 today. I feel a little better, but not well.

Fri. 13th Am invited to a party at Mrs. Vann's tomorrow night. I want to go though I know I'll act awkward there. I have only 4 more Fridays.

Sat. 14th 3 months since brother was married. Mr. Hanks spent the day here till time for us to go to Mrs. Vann's. Had a very pleasant time there, enjoyed myself finely.

Sun. 15th Ella came home with us last evening. We took a ride in the evening.

Mon. 16th Began my school duties again today. Have 18 today.

Tues. 17th I have 19 today. Mrs. Morgan & Miss Holt visited the school today.

Weds. 19th 19 today. This morning before I got here the boys had a fight. I whipped one little fellow.

Fri. 20th I wonder if these next few days will be of joy or pain? 3 weeks ago this day since I went home.

Sat. 21st I sat up today & sewed & then went to the party. Sat up till light, slept a little, came home & broke the Sabbath.

Sun. 22nd Went to a dance & what would Pa say if he knew.

Mon. 23rd Have 19 scholars today. Feel dull from Sat. dissapation.

Tues. 24th Had 17 today. Wrote home by Mr. Chamberlain.

Weds. 25th Have 19 today. Very warm & sultry.

Thurs. 26th Another week is most gone. 18 again today.

Fri. 27th I have only 13 today. Two more Fridays to stay here. Captain left us today for Park Hill.

Sat. 28th We went to see Mrs. Brewer today. Got home after dark. Had a very pleasant day.

Sun. 29th Em Hanks stayed all day with us today. Had a very pleasant time.

Mon. 30th Monday morning again. Had 14 today. Quite a small school.

JULY Tues. 1st I have 16 today. 1st of July. My time here is growing short.

Weds. 2nd Have a few scholars today. Have but one more Wednesday to stay here.

Thurs. 3rd I have 18 today. Capt. Vore came and brought me a letter from Pappa this evening.

Fri. 4th Heard today that Henry Vann was killed. Also that the Feds were at Park Hill.

Sat. 5th Went to Mrs. Vann's saw Henry buried today. Poor fellow, how I pity them.

Sun. 6th Stayed home all day. Ella came and stayed till evening.

Mon. 7th I have 11 scholars today. 9 part of the day.

Tues. 8th I have 10 today. I shall only keep them till Friday. I have *so* few scholars closed school today. The days are flying rapidly by.

Weds. 9th Captain Vore & Clarke came last night say the Federals were in Tahlequah. Poor me what shall I do. I can't do anything down here.

Thurs. 10th Brother John came yesterday. Everyone is excited here.

Fri. 11th Capt. Vore & John started to Gibson yesterday.

Sat 12th Bid farewell to all my friends down here & start for home.

Park Hill, Okla.

Sun. 13th I am at home today. It seems so quiet here. I did not go to church today. How different from last Sunday.

Mon. 14th Been busy cleaning up today & putting things to rights. Wish I could hear Bob H. play the fittle.

Tues. 15th What a day this has been! The Pins came and took our blacks and our horses and have threatened Pa's life. They say they are bound to have it tonight! They are all around here. They want John too. No one knows the distress I'm in and Pa . . .

Weds. 16th They did not come last night though, I sat up all night expecting them every minute. It was a fearfully long night. Today Charity and Mary talk of going. We poor children will be left all alone. Sarah came and stayed all day with us; The niggers are riding about today looking so saucy. They came and inquired of the blacks, where Pa and John are and when Pa will come in. It is terrible to be in such suspens and misery I endure. I am afraid of the niggers too. Nan's going to stay all night with me.

Thurs. 17th Everything seems to be quiet this morning. Have seen only one nigger pass. I do not feel in quite as much distress today. I'm in hopes that the Federals will get down today so that Pa can give himself up to them. My saddle and Pa's was taken last night from out the shop.

Fri. 18th I am in one continued dread and fear. I am so weak I can scarcely get about. I am in mortal suspense.

August 7th Day before yesterday was another wretched day. In the forenoon we heard that the Southerners were near here and the Pins were nearly scared to death. They all

ran. We rode out to see if it was really so. Saw no one, but heard that they went on to town with a white flag. Just about noon, Mitchell Lannders with six men, came as hard as they could and inquired if we had seen any Southern soldiers and then asked where the man was that lived here. They rode on and pretty soon came back but did not stop. Found out that they supposed Pa had gone out to meet them and said if they got him, they would make him go another way. Yesterday the niggers all cut out. Report came that women and children must get out of the way, as they were expecting a battle that day. We packed all of our clothing out and hid them in the fields with other things as well as we could. Everything seems very still here this morning. Can't see or hear anything not a soul is passing. Still I know not how soon they may come and search the house, take Pa, and kill him, perhaps burn the house down. We are in a miserable condition, our lives or Pa's is not worth a straw. Oh, that help would come . . .

(Nothing else is entered in the diary until November.)

November, 1862 Arrived at the Creek Agency.

May 7, 1863 Left the Creek Agency.

May 8, 1863 Searched North Fork.

August 23, 1863 Left North Fork.

Oct. 1863 Left Tishomingo.

Nov. 4, 1863 Searched Sulphur Springs.

Dec. 6, 1863 A beautiful day to those who can enjoy it, but I cannot. I have not the heart to enjoy anything. I am *miserable, wretched,* and almost tired of life. There is no enjoyment, no pleasure for me, nothing but a life of trouble and toil, before me. No bright future for me. One week after another passes away . . .

Susan Foreman with her father and brother traveled on down into Texas where she later died among the refugees from the Cherokee Nation.

A HISTORY OF THE MODOC INDIANS: AN ACCULTURATION STUDY

*By Lucille J. Martin**

On both sides of what is now the Oregon-California border and just east of the Cascade Mountains there once lived a group of Indians known as the Modoc. They were never a large tribe and had it not been for the Modoc War, perhaps, they would have remained just another one of the some 300 tribal societies grouped under the general category of "Indians." This conflict is one of the most written about and most widely discussed in the annals of American Indian Wars. Much of the available literature traces the Modoc history from the aboriginal culture through the war and concludes with the recalcitrant Modoc being sent to Indian Territory where many died in the first few years or where eventually the remaining members of the group were permitted to return to their ancestral home in Oregon. Basically, these facts are true; however, not all of the Modoc returned to Oregon. Some members of the tribe remained in Indian Territory to become citizens of Oklahoma and the surrounding states. It is with this group that the research for this thesis was initiated.

Aboriginal Culture

The isolated lake country which was the aboriginal home of the Modoc, although geographically a smaller territory than many other American Indian groups enjoyed, was one of wide diversification. Each point of the compass presented the ecological possibility for a different way of life. The early homeland was a rectangularly shaped area, bisected along an east-west line by what was to become the Oregon-California border.

From the beginning the Modoc were truly a people "at the cross roads" in both a geographic and cultural sense. On the west were the lofty, majestic peaks of the Cascades, perennially covered with snow; on the east was the sterile wasteland of alkali laden soil, which served only to render the waters of the territory almost unpotable; to the north were great towering forests of Ponderosa Pine; the southern boundary was formed by the now famous Lava Beds, laid down by volcanic action some 6,500 years earlier.[1]

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* This article has been adapted and briefed in manuscript by the Editor for publication in *The Chronicles*, from a thesis by Lucille J. Martin. Her thesis titled "Modoc Assimilation: an Acculturation Study of the Modoc Indians in the Mid-Western States," was submitted in 1968, for the M.A. degree in the Department of Anthropology, Wichita State University, Wichita, Kansas.—Ed.

1 Verne F. Ray, *Primitive Pragmatists* (Seattle: 1963), p. xxi.

The Modoc had no clearly defined cultural boundaries, as they were in a close proximity to three well defined cultural areas. These were the Plateau, the Great Basin, and California. During the historic period of Modoc culture, there were evidences of all three of these major cultural developments.

Physiographically the Modoc are usually placed in the California or Central Plateau area. In addition to many cultural traits they share with the Plateau people there are also indications of substantial borrowing from the culture of the Indians of California and the Great Basin.[2]

Even in prehistoric times the Modoc were small in numbers. The total population of prehistoric Klamath and Modoc has been estimated to be between twelve hundred and two thousand with the Klamath about twice as numerous as the Modoc.[3]

The ancestral homeland of the Modoc consisted of some 3,000 square miles. Within the tribal territory were several lakes of considerable size and many smaller bodies of water. The entire area was traversed with a multitude of rivers, creeks and small streams. These numerous waterways coupled with the rolling high hills and mountains established many drainage systems which created thousands of acres of marshland broken by intermittent grassy plains of a slightly higher elevation.[4]

Even though a small tribe, the Modoc were divided into three separate groups, Gumbatwas or "people of the west"; the Kokiwas or "people of the far out country", and the Paskanwas or "river people". These divisions were related only to place of residence and did not appear to have any connection with family relationships or political factionalism. The individual or family was free to move to any one of the Modoc geographic areas at any time.[5]

There are several theories as to the origin of the tribal name "Modoc", the most logical of these states that the word "Modoc" is of Klamath origin. The Modoc refer to themselves as Ma

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[2] Robert F. Spencer and Jesse D. Jennings, et al., *The Native Americans* (New York: 1965), p. 230; Theodore Stern, *The Klamath Tribe* (Seattle and London: 1965), pp. 4-5; A. L. Kroeber, "Handbook of the Indians of California," "*Bulletin 78*, Bureau of Ethnology, (Washington: 1925), pp. 334-335.

[3] Stern, *op. cit.*, p. 5; John R. Swanton, "The Indian Tribes of North America," *Bulletin 145*, Smithsonian Institution, Bureau of American Ethnology (Washington: 1952), p. 465.

[4] Frederick Webb Hodge, "Handbook of American Indians," *Bulletin 30*, Part 1, Smithsonian Institution (Washington: 1912), p. 918; Hubert Howe Bancroft, *History of Oregon*, Vol. 20 (San Francisco: 1886), pp. 1-17.

[5] Ray, *op. cit.*, p. 202.

klaks (*sic*) translated as "people"; the Klamath call them Mo adok ma klaks (*sic*) or "people from the south."

The close similarity of language and other cultural traits in the Klamath and Modoc cultures gives rise to the theory that at one time in history they probably were one group. This similarity is so pronounced it would also seem to indicate their separation has been quite recent and perhaps was never really complete.[6]

Life in the Modoc villages has been described as arduous, but never monotonous. The land was fertile and productive, but it did not yield its bounty easily and the Modoc were forced to labor diligently throughout the year to provide a living from the rugged terrain. The grassy banks of the rivers and lakes made comfortable and convenient camp sites. Additional pasture for the horses was easily found in the bunch grass which abundantly dotted the sagebrush covered plains. The winters brought a seemingly inexhaustible supply of waterfowl to the area. The waters of the lakes and the surrounding marshlands were abundantly filled with ducks, geese, and swans of numerous varieties. These migrating birds augmented the population of the pelicans, loons, and gulls which inhabited the land throughout the year. There was an unending supply of fish in the many lakes and rivers. The plains and surrounding hills contained rabbits, squirrels, woodchuck, sage hens, prairie chickens, curlew, deer and antelope. A short journey to the mountains made available larger game such as elk, mule deer, mountain sheep, and the fierce and mighty bear.[7]

Although the Modoc utilized various seeds and nuts as an integral part of their diet, they were not as dependent upon them as some of their neighbors in northern California. They also relied heavily upon the camas and other tuberous plants as a food source. The days of the late summer brought harvest of the wocas or pond-lily seeds. The wocas were a food speciality of this area and certain ceremonial rituals were necessary to insure a proper harvest. Indian agents saw this particular food as occupying the position of the most prominent of Modoc staples.[8]

As a group the Modoc seemed to exhibit considerably more ingenuity in using the resources of their particular environment than did some of the other tribes in the immediate vicinity. A prime example of this would seem to be the high degree of

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6 Leslie Spier, *Klamath Ethnography* (Berkeley and Los Angeles: 1930), pp. 1-5.

7 Ray, *op. cit.*, pp. 180-200.

8 Stern, *op. cit.*, p. 13; Kroeber, *op. cit.*, pp. 323-26.

specialization in making use of the wocas or waterlily seed as a mainstay in the diet. These plentiful seeds certainly must have been accessible to a number of other groups, and yet, only the Modoc and Klamath ate this food which was high in protein and carbohydrates and was easily obtained throughout the area.

The Modoc followed a regular annual schedule. They constantly used the best possible time and sources for food. March brought the break up of the winter-time permanent village sites, with all but the elderly and disabled moving to take advantage of the early spring fishing. Being a migratory people the Modoc did not carry a great deal in the way of household goods or weapons with them. Their practicality decreed that they make use of the natural resources present in their particular habitation. One example of their ability to make use of the material at hand as the need arose would be the fish drying rack. This rack was made from a young willow sapling from which the unnecessary greenery and small limbs had been cut. It was then "transplanted" at the campsite, the branches were then pulled down to the ground and tied with ropes, thus making a suitable rack upon which to place each day's catch; other tribes usually constructed some sort of a drying frame from the tree branches, but this required considerably more effort.

After about a month at the fishing sites the group moved to other locations to harvest epos, one of the more important roots in their diet. At this same time the trout were beginning to appear. Therefore, the most preferred campsites were those along the streams and rivers. While the women were busily engaged in digging and preparing the roots, the men fished and hunted. It has been postulated that with a small digging stick, fire hardened on one end, a Modoc woman could harvest about a half bushel of roots per day.[8a]

The month of June found the Modoc at another location in search of the camas (bulbs), with hunting and fishing still continuing. Early autumn brought the seed harvests and the hunting of larger game in higher elevations. The group returned to their winter home sites sometime during the month of October. Hunting continued while houses were rebuilt and repairs made in clothing, bedding, etc., for the approaching winter. With the return to the winter village, family members busied themselves by laying in a large supply of firewood in order to be ready for the first snowfall of the severe winter. The aged and disabled were given help to ready themselves for the cold months ahead.

Food was not communal property, but each family gathered its own supply, stored it, and zealously guarded the secret of

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[8a] J. W. Powell, *First Annual Report of the Bureau of Ethnology*, Smithsonian Institution (Washington: 1881), p. 256.

its storage places. Thievery of food stores occurred, but the pragmatic Modoc did not seek to punish for stealing food; he sought the return of the food.[9]

Three typical house types were to be found in the Modoc villages of the mid 1800's. The most permanent and elaborate abode was the earth-covered lodge. It was well adapted for winter use. This type of house was constructed by excavating a circular space about four feet deep and sixteen to forty feet in diameter. The excavated dirt was used to form the outside walls. Strategically placed timbers braced the roof, which was a network of rafters laced with overlapping matting of tule fibers. This structure was then covered with several layers of strengthening material such as bark. Finally, all was covered over with earth, leaving a circular entry hole at the top. This entrance also served as a vent for a small house fire.

A second type of house, the mat-covered house, was used quite often by smaller groups. It was far more easily constructed, but it was not nearly as spacious as the above. This dwelling was generally rectangular in shape, being twelve to fourteen feet wide and approximately twice as long, it was sometimes excavated twelve to eighteen inches deep. Four main house posts supported the roof which was constructed much as the roof of the earth lodge but without the dirt. They did utilize two or three covering layers of matting, however; if the dwelling were to be used as a winter shelter the sides were often banked up with earth.

Still another house structure was the simple circular dome-shaped house similar to the wikiup of the Great Basin area. This type of house was constructed of a number of willow poles. They were bent and tied to form a framework and then covered with matting. These dome shaped houses were generally used as summer dwellings.

Family relationships followed a patrilocal pattern and usually prevailed in establishing the house group, but should friction between individuals develop, other alignments with either family or non-family tribal members could be made. These living groups were generally stable, and if a change was desired it normally took place at the beginning of the winter season before food stores were cached.

Everyone played his part in providing both food and labor in the maintenance of the household. The women shared the chores of cooking. Two meals a day were served during the winter months, and three meals during the longer days of summer.

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[9] Ray, *op. cit.*, pp. 164-171, 182-187; p. 199.

Clothing was, for the most part, purely a functional matter with the Modoc and there is no indication that the tribe ever had ceremonial dress of any kind. Special occasions which called for special dress amounted only to clothing made of fur and a few more decorations than those which were ordinarily worn every day.

Furs and skins were used for moccasions, leggings, hats, shirts, skirts, and robes. These clothing articles were duplicated in the more plentiful tule and other grass materials found so abundantly in the area. Generally the fibrous materials did not last as long, but neither did they take as long to make; therefore, they enjoyed a more extensive use among the Modoc than did the longer lasting, but more difficult to obtain, furs and skins.

Head gear was worn by both men and women and was thought to be decorative in nature as well as protective. The basket shaped hat prevailed until recent times. The basket hats of the men were usually plain, but the women's hats incorporated various designs into the actual weaving. These hats were waterproof, and gave adequate protection from the elements. They also protected the forehead from the chafing of the tumpline when a person was carrying a heavy load.

Modoc men wore bark hats of a cylinder shape with the tops open in the summer and sewed together for winter wear; however, the preferred hat for cold weather was made of fur; in appearance these hats were similar to the cossack hats of modern times. A type of "stocking cap" was made by taking the leg fur of some large animal, such as a deer or antelope, and after tanning, sewing it to its original shape. The large end was placed over the head and the excess was allowed to fall down the back.

Added protection from the weather was provided by robes of fur and woven grass material which were worn by both men and women. These robes were made from a single skin of a large animal or from the skins of many small animals sewn together. Fiber and fur robes were rectangular in shape and were worn wrapped around the body. They tied at the neck and waist.

With the advent of Plains influence, painting and decoration by applique became more popular, and fringing was used for the first time.

The aboriginal Modoc recognized no paramount "god" or supernatural being, but instead the individual was aided or chastised by many spirits, and it was for him alone to decide to whom he should pray.

The sweat house, a small, nearly airtight hut, served as the altar at which the Modoc offered their prayers either before entering or during the sweating. However, if a sweat lodge was not available or one did not desire to go to a sweat house, prayers could be made just as effectively to the spirits at any time and place.

It is stated that religious institutions among the Modoc are almost unknown. There was an observance for adolescent girls, the Shuyuhalsh, a dance lasting for five nights. A mourning ritual took place in the sweat lodge; however, it appeared to be more connected with the purification of the survivors than a commemoration for the dead.

The Modoc were probably the first tribe in the area to receive the Ghost Dance from the Northern Paiute around 1870. It has been suggested that the Modoc War was in part a result of this doctrine.[10]

According to Ray, Modoc kinship patterns were practically the same as the Klamath. He also states that shortly after the beginning of reservation life the Modoc abandoned their native terminology and even before they were able to speak English well, they substituted the system of the white settlers. Ray sees this action as "understandable in terms of the functional weakness of the native system and the predilection of the Modoc for discarding cultural practices—even fundamental ones—when they no longer 'worked'."[11]

As the Modoc was an isolated tribe inhabiting less accessible areas of the Klamath Basin they did not experience contact with the white immigrants as early as many of their neighboring Indian groups. The first contacts were probably of an indirect nature through raiding neighboring villages or by items brought to the area by the white man and first given or traded with other groups of Indians.[12]

In 1846 two brothers, Jesse and Lindsay Applegate, with a party of fifteen men set out to find a less difficult and safer wagon train route to the Oregon frontier. They reported sighting Modoc signal fires, but no hostile action was directed toward them. Later reports indicate the first wagon using this new southern route was allowed to go through Modoc lands unharmed, but when the presence of many people and animals frightened the

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10 Kroeber, *op. cit.*, pp. 320-322; p. 321; R. F. Heizer and M. A. Whipple, *The California Indians* (Berkeley and Los Angeles: 1951), pp. 56-58.

11 Ray, *op. cit.*, p. 94.

12 Stern, *op. cit.*, p. 22.

game upon which the Modoc depended for food, wagon trains were attacked.[13]

One member of the Modoc tribe, Jeff Riddle, who became somewhat of a scholar of his people's history, states that at first the Modoc were fearful of the whites and hid themselves, thinking the white skinned strangers were evil spirits who had been sent to punish the Modoc people. But after several immigrant wagon trains had passed through the land, the Modoc became more adventurous, and upon closer investigation found these fair skinned creatures to be mortals too. Soon they became friendly with the immigrants. This amicable relationship persisted for several years. The Modoc met every wagon train in order to partake of the unusual foods of the white man.

In the two years after gold was first discovered in California, the influx of people seeking their fortune ran into the thousands. If a gold strike was reported or even rumored in an area, the countryside was quickly populated with miners. This was the case at Yreka, a small town only a few miles from Modoc game lands. The Modoc were embittered by the invasion of hundreds of the miners who depleted the game supply, grazed their horses and stock on the grass, and pocked the entire territory with exploratory digging.

Prior to the Yreka gold strike, relations had been strained on numerous occasions and both sides had seen death and violence at the hands of the other, but the difficulties did not appear to be irreconcilable. One or two events directly associated with the Yreka gold strike seem to have contributed to the outbreak of the Modoc War.

Upon hearing of a Modoc attack on an unsuspecting wagon train, some forty frontiersmen living in or around Yreka gathered together and decided that it was time to teach the Modoc to respect the rights and property of the white man once and for all. They elected Ben Wright to be their leader.

Wright procured some strychnine from a druggist who normally sold it for the extermination of coyotes. He then concocted the idea of placing the strychnine in some beef and inviting the Modoc warriors to a peace feast. He believed that in this way he could kill the Indians with no loss of life to his men. Wright and his men went to the Modoc area and met a brave near the Indian camp. He sent word by this lone Modoc to the chief that he came in peace for a feast and peace talks. Wright did not know that one of his Indian interpreters, Livile, had exposed his

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[13] Keith A. Murray, *The Modocs and Their War* (Norman: 1959), p. 17.

plan to the Modoc. They came to Wright's camp but refused to eat before the white men first sampled the food. This incensed Wright and he drew his gun and shot the Chief, killing him instantly. The other white men took aim and before the shooting stopped they had killed some forty Indian men. Only seven escaped with their lives. Ben Wright and his men returned to Yreka and were welcomed by all of the residents of Yreka as heroes.

Elisha Steele, a Yreka lawyer, who was appointed to the Indian Superintendency in 1863 states that he had heard Ben Wright cursing about Dr. Ferrber, the druggist, selling adulterated strychnine. This led Steele to believe that Wright had planned this treacherous act and had no intention of any fair dealings with the Indians. This came to be known as the "Ben Wright Massacre" and is an important event which led to the Modoc War.[14]

After the Civil War, more and more land hungry settlers flooded the Oregon-California border area and the Indians were constantly at odds with the newcomers. They felt the whites were trespassing and poaching on the traditional Modoc homelands. Reports maintain that in some cases the immigrants were forced to pay cash amount to the Modoc for crossing certain lands and were also expected to pay for grazing their stock on the grasslands.[15]

In October of 1864 J. W. Huntington, Superintendent of Indian Affairs in Oregon, and William Logan, United States Indian Agent for Oregon, representing the United States, made a treaty with the Modoc, Klamath, and Yahooshin band of Snake Indians. The Modoc were represented at this meeting by chiefs Schonchin, Slatitut, Keintpoose (Captain Jack), and Chucklie, headmen of the tribes. These Indian tribes ceded to the United States government all their right and title to all the country claimed by them. From these ceded lands the government officials laid out the Klamath Reservation.[16]

A short time after the signing of the government treaty in October, 1864, the Indians were moved to the newly created

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[14] Jeff Riddle, *Indian History and the Modoc War and the Causes that led to it* (San Francisco, 1914), p. 153; Doris Palmer Payne, *Captain Jack* (Portland, 1958), p. 4.

[15] Payne, *op. cit.*, pp. 78-9; Murray, *op. cit.*, pp. 36-7; *House Executive Document No. 122*, 43rd Congress, 1st Session (Washington: 1874), pp. 304. These references cover the terms of the treaty with the Modoc made in February, 1864, which never went into effect.

[16] Charles Kappler, *Indian Treaties*, Vol. II, pp. 865-66; *Report of the Commissioner of Indian Affairs*, 1873, pp. 11-13 (hereafter listed as *Indian Affairs Report* and year). Notes from Quapaw Agency, Oklahoma.

reservation. Friction developed almost immediately. First, the reservation had been laid out on the traditional lands of the Klamath; no Modoc or Paiute land was included in this tract. A second cause for dissention came as a result of the rivalry between Old Schonchin, the recognized chief as appointed by the military authorities, and Captain Jack, "the hereditary chief." Consciously or unconsciously, the government officials, especially Jesse and Lindsay Applegate, were partial to Old Schonchin and his band as he gave them little trouble and appeared to be contented. Captain Jack, who had signed the treaty reluctantly, declared that he and his people were being mistreated at the hands of the Klamath, and were not given enough food and clothing. In 1865, Jack left the reservation in the middle of the night accompanied by fifty braves and their families and returned to Lost River.[17]

When they arrived in Lost River country Captain Jack found his former village home already populated by white cattlemen and their stock. Alarmed at the re-appearance of the Modoc band, the settlers immediately petitioned government authorities to return the Indians to the reservation, but since he was already occupied with an uprising of the Paiutes, the Commanding Officer at Fort Klamath hesitated to engage in force. He attempted to convince Jack and his tribe to return to the reservation. Other attempts to persuade the group to go back on the reserve were made in 1866 and 1867, but to no avail. Jack was firm in his refusal, saying he desired only to be left in peace to live with his people at the Lost River site.

The Modoc War

Official records reveal that the first overt hostile action between the forces of the United States Government and the Modoc Indians took place on the morning of November 29, 1872 when thirty-eight men of Company B, First Cavalry, under the command of Captain David Jackson, rode to a Modoc village on the west bank of Lost River with orders to disarm the Modoc camped there and return them, by force if necessary, to the Klamath reservation.[18]

Upon arriving at the Indian camp, Captain Jackson halted his troops at the fringe of the settlement and called out for the Modoc to surrender. The Modoc leaders called a hurried council, and it appeared that there would be no fighting as the Indians began to throw down their rifles. Thereupon Captain Jackson ordered Lieutenant Boutelle, second in command, to go forward and arrest some of the Indians who seemed defiant and were

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17 Bancroft, *op. cit.*, p. 559; Payne, *op. cit.*, p. 21.
18 Bancroft, *op. cit.*, p. 573.

still holding their weapons. At that point, a dispute developed between the Lieutenant and Scarface Charlie over a revolver which Scarface felt he should be able to keep, having already surrendered his rifle. The Indian pointed the pistol at Boutelle, and the officer drew his own revolver. An impulsive move on Charley's part caused Boutelle to fire a hurried shot, and Charley returned the fire. The Indians then jumped to retrieve their arms, and a battle began.[19]

When the fight was over, one army sergeant was dead, and seven other enlisted men lay wounded. Captain Jack and a small band of his followers retreated to the sanctuary of the Lava Beds where they were to remain for the duration of the Modoc War.[20]

Although this military action marked the official beginning of the Modoc War, it really began many years before when the white immigrants began to violate Indian rights. White settlers had long ignored both the civil rights, then the legal rights, granted the Modoc Indians by treaties.

While Captain Jack and his followers were escaping to the Lava Beds, Hooker Jim and a smaller group of Modoc braves camped on the east side of Lost River, heard the gun shots and opened fire on an advancing contingent of civilian volunteers who were planning to ambush them. One white man was killed, and several others were wounded. On the way to join Jack at a pre-arranged rendevous in the Lava Beds, Hooker Jim and his men wantonly killed and horribly mutilated the bodies of eighteen settlers, some of whom had befriended this very group only a few days before.[21]

This act of butchery completely alienated the whites from the Modoc. The people of Linkville were incited to nearly a stage of riot. Even those citizens who had been sympathetic to the cause of the Indians and cognizant of the inequities which had been perpetrated against them began to take the attitude that "the only good Indian was a dead Indian."

The Linkville residents demanded that the government send enough troops to put down the Modoc uprising for the last time. They demanded that every man, woman and child of the Modoc tribe be removed to the Klamath reservation or exterminated.

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19 Alexander M. Robertson, "The Indian History of the Modoc War," *The Nation*, Vol. 100 No. 2599 (April 22, 1915) ; Payne, *op. cit.*, pp. 68-73; Murray, *op. cit.*, p. 17.

20 John Tebble, *The Compact History of The Indian Wars* (New York: 1966), p 262.

21 Payne, *op. cit.*, pp. 75-77.

An example of the feelings of the white citizens against the Modoc is cited.[22] A small group of Hot Creek Modoc, under the leadership of a sub-chief, Shoknasta Jim, had been living peacefully for a number of years on land next to the J. F. Ranch. Two very prominent stockmen, John Fairchild and Press Dorris, who had been accustomed to making a small annual payment to these Modoc for the privilege of grazing their stock on the Indians' land, had been on the very best of terms with the Hot Creek band. With the beginning of what appeared to be developing into a full scale war, Fairchild and Dorris suggested to the Modoc that they would be safer on the reservation until everything was settled. This particular group had in no way been a part of the difficulties, and they did not wish to become involved. Fairchild sent word to L. S. Dyer, the reservation agent, that this group wished to return, but before the agent could arrive with a cavalry escort to take them back to the reserve, the townspeople of Linkville had organized a lynching party, bent upon taking revenge for the atrocities committed by Hooker Jim and his group. Luckily, when the Linkville vigilante party arrived, Fairchild and Dorris, having anticipated the possibility of trouble in removing the Indians, were there to confront the would-be lynchers and succeeded in turning them back by gentle persuasion. However, the Hot Creek Modoc, being thoroughly frightened and having had some experience with the white man's justice, had no desire to pass through Linkville on their way to the reservation and therefore hurried to join Captain Jack at the Lava Beds, thus adding fourteen more fighting men to the Modoc force. Three of these warriors, Shoknasta Jim, Steamboat Frank, and Ellen's Man were to play a major part in the Modoc War.

If there were ever a preventable war fought, the Modoc War would certainly fit this category. The historical accounts read more like fiction than fact, and had it not been for the tragic loss of lives and the vast amount of money spent, certain aspects of this conflict would seem ludicrous.

To begin with, the Modoc would very likely have taken the Lava Beds and the south shore of Tule Lake as their reservation had this area been offered to them. As late as 1870 Captain Jack had petitioned for a small reservation for his people in this vicinity and, even though he had asked for a larger tract, he would probably have settled for less land than he originally sought in order to avert war and bloodshed.[23]

In some ways the Modoc War could be classed as just another of the many Indian uprisings which took place on

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[22] *Ibid.*, pp. 78-82.

[23] Murray, *op. cit.*, p. 61.

(Oklahoma Historical Society)

SHOKNASTA JIM AND STEAMBOAT FRANK
IN INDIAN TERRITORY, 1875

Lava bed warriors of the Modoc War as they set out in fanciful Indian regalia for the lecture platform

American frontiers. In other ways it must be considered as one of the most costly wars in which the United States forces have ever participated. It was relatively short, lasting only six months and a few days, with most of the fighting in the last four months. Counting the opening encounter, there were only five engagements in the Modoc War. Throughout these five battles, there was not one decisive victory for the United States forces although the Modoc were outnumbered twenty five to one.[24]

The Modoc's familiarity with almost every inch of the thirty two miles of unusual terrain of the Lava Beds greatly enhanced their chances for survival. General Frank Wheaton, commander of the United States Armed forces, had this to say about the site:[25]

> I have seen something of war and know something of fortifications. I have commanded 19,000 men at the battle of the Wilderness and saw many of the great engineering works of the Civil War, but I do not believe that a hundred thousand men in a hundred thousand years could construct such fortifications. A regiment of men could conceal themselves in its caves and fissures and ten thousand men could be marched over them without seeing a man.

When the number of lives lost and the cost are compared to the number of enemy engaged and the time involved, the Modoc War surpasses all conflicts in which the United States has ever been involved.

As soon as news of the first skirmish had reached the surrounding settlements, all isolated area residents were alerted. The army dispatched every available man and mount to the battlefield. In addition to the regulars, volunteer militia men from both California and Oregon were used. High ranking, seasoned officers and heavy artillery were sent from both coastal and inland army posts. A representative of the Press, Robert D. Bogart of the *San Francisco Chronicle* arrived December 8, 1872. He immediately began dispatching stories for nationwide publication which indicated mass hysteria within the ranks of the troopers and the settlers. In his opinion, "Rumor was feeding upon fear and fear feeding upon rumor."[26]

While military mobilization was taking place, the Modoc were not idle. They continued their carnage of the country-side—killing, looting and burning at every opportunity. Curley Headed Doctor, a Modoc shaman, prepared the warriors for battle accord-

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[24] William Henry Boyle, *Personal Observations of the Conduct of the Modoc War* (Los Angeles: no date), p. 7.

[25] Colonel William Thompson, *Reminiscences of a Pioneer* (Alturas, California: 1912), p. 105.

[26] Murray, *op. cit.*, pp. 100-106; Payne, *op. cit.*, pp. 81-86; Oliver Knight, *Following the Indian Wars* (Norman: 1960), p. 106.

ing to the teachings of the Ghost Dance. The Ghost Dance was an anti-white nativistic movement originating with the Northern Paiute. It prophesied that, upon the return to the traditional Indian way of life, the spirits of dead Indians would help those still living to repell the advances of the white man.[27]

By the third week of January, 1873, all military preparations were complete, and the following optimistic report was sent to the War Department by General Frank Wheaton:[28]

> I am happy to announce that after all our annoying delays, we are now in better condition than I ever saw troops for a movement against hostile Indians . . . Now our artillery pack train and Howitzer details are admirably drilled: We leave for Captain Jack's Gibraltar tomorrow morning and a more enthusiastic jolly set of Regulars and Volunteers I never had the pleasure to command.
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> If the Modocs will only try to make good their boast to whip a thousand soldiers, all will be satisfied . . . resistance tho' of course we are prepared for their fight or flight . . .

This optimism was short lived. By the evening of January 17, 1873, the first major assault of the Lava Beds had taken place resulting in failure. The Modoc maintained their position in their natural fortress and forced the troops to abandon the battlefield at the cost of nine soldiers killed and thirty wounded.[29]

Upon receiving the report of the defeat in the Lava Beds, General E. R. S. Canby, Commander of the Department of the Columbia, relieved General Wheaton of his duties and gave the command to Colonel Alvan C. Gillem.[30]

History has shown that a change in commanders was not a wise move. There can be no question that General Wheaton's first assault was not a success, but he had gained valuable experience. It was evident that fighting the Modocs in the Lava Beds was vastly different from fighting Indians in wide open country and would require strategy and military tactics not used in earlier battles before with hostile Indians.

It was also learned that the Klamath were not good scouts because intermarriage between Klamath and Modoc caused many Klamath to regard the Modoc as friends rather than enemies. Thus the Klamath loyalties were divided.

Colonel Gillem had his promotion as a result of his political affiliations and therefore was not well liked by either fellow

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27 Murray, *op. cit.*, pp. 100-101; Bancroft, *op. cit.*, p. 580.

28 Murray, *op. cit.*, p. 116.

29 *Ibid.*, pp. 119-, 29; Bancroft, *op. cit.*, pp. 588-593; Boyle, pp. 24-30; Fairfax Downey, *Indian Fighting Army* (New York: 1943), p. 141.

30 Murray, *op. cit.*, pp. 131-132.

officers or enlisted men.[31] The last few days of January, 1873, brought a severe snowstorm raging throughout the northern California area. All operations were suspended in order to wait for a break in the weather and the arrival of the new commander. The volunteers, having served their agreed time, returned to their homes. There was a shortage of food, and ammunition and morale was low. Less than 200 troopers were awaiting action. During the final week of January, the only action taking place was in Washington, D. C., where A. B. Meacham, Lindsey Applegate, and other Oregonians were discussing the defeat of the army. These gentlemen asked Attorney General George A. Williams, who was also from Oregon, to arrange an interview for them with Columbus Delano, the Secretary of the Interior. This interview resulted in the appointment of the peace commission with Mr. Meacham named as chairman. This commission was charged with investigating the causes of the outbreak and to restore peace. They were also ordered to find a suitable plan for relocating the Modoc after the war. Captain Jack received word of the commission and was assured that he would be summoned for conference negotiations.

By the middle of February, the worst of the winter was over, and supplies and men were able to move freely. Colonel Gillem had 700 regulars at his command. The peace commission composed of Meacham, Jesse Applegate and Samuel Case met with General E. R. S. Canby.

Despite disagreements within the commission, messengers were dispatched to the Lava Beds to arrange a meeting with the Modoc. Captain Jack agreed to meet with the commissioners if Elisha Steele, Judge Rosborough and John Fairchild were added to the commission. Steele and Fairchild first met with the Modoc on February 28. This meeting also included Toby and Frank Riddle, who interpreted for Jack, and a newspaper reporter named H. W. Atwell. Upon his return Steele issued the report that the Indians had understood the terms offered to them and that peace was certain. Fairchild did not think the Modoc had comprehended that general amnesty for all members of the tribe would call for them to move immediately to Angel Island in San Francisco Bay. Steele was certain of his convictions and offered to return to the stronghold alone to see Captain Jack and verify his opinion. When he and Atwell arrived, they found the mood of the Modoc completely changed. They were unfriendly, rude, and openly hostile. The Modoc accused Steele of duplicity and double dealing. Steele attempted to reason with Captain Jack saying the war could only mean death for all Modoc and that the power of the United States

[31] *Ibid.*, p. 132.

Army would eventually win. To this argument Jack replied that he would not go to a reservation to be starved and mistreated again. According to Steele ". . . he listened with his usual stoical composure and then replied 'Kill with bullet don't hurt much, starve to death hurt a heap'."[32]

Upon Steele's return from this meeting he counseled against further attempts at settlement until the Modoc were ready to instigate negotiations. He also warned of the possibility of treachery, and, with these words of caution, he returned to Yreka to resume his law practice.

The reason for the belligerency of the Modoc was later traced to a hostile Linkville citizen by the name of Blair who is reported to have told some of the Indians who were acting as messengers that he carried an order from the Governor of Oregon to hang nine members of Hooker Jim's group.[33]

Steele's second report caused Meacham to declare, "The mission is a failure." This prompted the following reply from Secretary Delano who was following the war from his desk in Washington, D. C. "I do not believe the Modoc mean treachery: The mission should not be a failure. I think I understand their unwillingness to confide in you. Continue negotiations. Will consult the President, and have the War Department confer with General Canby to-morrow."[34]

By this time the commissioners, the members of the press, the military men, and the Washington officials appeared to be more at odds with each other than they were with the Indians. The peace commissioners, unable to agree with each other, filed separate minority reports. In his final report and resignation Jesse Applegate stated:[35]

> . . . A commission to negotiate a peace was therefore unnecessary . . . should be composed of men wholly disinterested in the findings . . . Some of the personnel of the commission being obnoxious to the Indians . . . findings . . . imperfect and unsatisfactory in regard to the causes . . . an expensive blunder."

The rapid succession of these events caused consternation and council between Delano and Secretary of War W. W. Belknap. Army Chief of Staff, General Sherman, telegraphed Canby, "All parties here have absolute faith in you but mistrust the commissioners." This was followed by a letter from Delano giv-

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32 *House Executive Document No. 122* 1874, *loc. cit.*, p. 307; Knight, *op. cit.*, pp. 130-132; Payne, *op. cit.*, pp. 114-115.

33 Knight, *op. cit.*, p. 134; *House Executive Document No. 122*, 1874, *loc. cit.*, p. 264.

34 *Indian Affairs Report*, 1873, p. 75.

35 *House Executive Document No. 122*, 1874, *loc. cit.*, pp. 265-266.

ing Canby full authority to fill commission vacancies and work out any solution he saw fit.[36]

By late March a second peace commission had been appointed. Included in this group were Meacham, Rev. Eleazer Thomas and I. S. Dyar, Indian Agent at Yainax, and General Canby serving as a proxy for Judge Rosborough.

From the time of the resignation of Applegate and the arrival of the members of the second group of peace commissioners, several meetings between the Indians and whites took place, and there was talk of peace and surrender. Arrangements were made to send wagons for the Modoc, but the Modoc did not appear at the time and place suggested. On April 8, 1873 a messenger arrived from the Modoc camp asking for a "peace talk". Two days later several Modoc approached the army headquarters and requested a conference for the following morning. They proposed that the commissioners, including Canby and Gillem, meet at the council tent half-way between the Lava Beds and the army camp with an equal number of Modocs. All parties were to come unarmed. The Indians stated this would demonstrate the confidence of the commission in the Modoc and that after this meeting they would come into headquarters and surrender.[37]

Disregarding the warnings of Toby and Frank Riddle and the ill-at-ease feelings of Meacham and Dyar, the commission prepared for its meeting. Meacham suggested taking guns, but Canby's honor as a soldier and gentleman and Thomas' faith in God were at stake, so this suggestion was voted down. However, both Dyar and Meacham concealed derringer pistols on their persons.

After arriving at the council tent, it was quite evident that the commissioners would not be leaving without a fight. The council meeting started with the Modoc making demands for a removal of the soldiers and for a home for the Indians on the traditional Modoc lands. It was explained that this was not possible. After considerable heated talk and insolent actions on the part of the Modoc, two Indians, Barncho and Slo-lux, appeared carrying rifles. The members of the commission demanded that Captain Jack explain what this meant. Jack who was standing three or four feet in front of General Canby shouted, "Ot-we kantux-e" ("All ready"). He then pulled a gun from under his coat and fired at Canby. The first shot only exploded the cap. Jack cocked the gun a second time and fired at Canby's head. Although mortally wounded, the General attempted to re-

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36 Knight, *op. cit.*, p. 137.
37 *Indian Affairs Report*, 1873, p. 177.

treat to the camp. Meacham and Dr. Thomas were shot. Dyar escaped by running to the Army camp. After stripping the fallen commissioners of their clothing the Modoc returned to the Lava Bed strong-hold. The attack on the peace commissioners ended all hope of negotiating peace. General Sherman, by order of the President, advised the Pacific Commander ". . . to make the attack on the strong and persistent that their fate may be commensurated with their crime. You will be fully justified in their utter extermination."[38]

Hostilities began again April 14, 1873, but it was not until the 2nd of May when Canby's successor, Colonel Jefferson C. Davis, arrived that the tables were to turn in favor of the government troops. In addition to being an experienced Indian fighter, Davis had the respect and confidence of the troops. In a short while, he reorganized all the ranks and began to push the Modoc further into the Lava Bed. Troops advanced under cover of heavy artillery. This action not only kept the Modoc constantly on the run but cut off their water supply.

On the 22nd of May, sixty-five Modoc surrendered at the camp. Captain Jack and about twenty-five warriors were still at large, but with the help of several Modoc who had surrendered, Jack was apprehended on June 1st, 1873. He stated "his legs had given out."[39]

The prisoners returned to the army camp, and Captain Jack and John Schonchin were ordered shackled together.[40] The Modoc War was over, and although it had taken only 190 days, it had cost dearly in men and money. Historical records do not agree on the number killed. One estimate is that nearly 400 men died. A more conservative court gives the casualties as 83 killed and 67 wounded.[41]

Aftermath of the Modoc War

The Modoc Campaign was officially over; only a few stragglers remained to be captured. It was the intent of Colonel Davis to hang the seven to ten warriors who were alleged guilty of killing white settlers, murdering the "unarmed" peace commissioners and leading the Modoc insurrection. Davis reasoned that immediate on-the-spot retribution would serve as an exam-

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38 Bancroft, *op. cit.*, p. 6; p. 14.

39 *Ibid.*, p. 629.

40 Murray, *op. cit.*, p. 271; Bruce Catton, *Indians* (New York: 1961), p. 313.

41 The estimated amount of money poured into this brief campaign also varies from five million dollars to one-half million. Be that as it may, the fact remains that the 2,000 acres which the Modoc had asked for as a permanent home had been appraised at only $10,000.—Thompson, *op. cit.*, p. 130; Tebble, *op. cit.*, p. 266.

ple to other frontier Indian groups who were experiencing the same frustrations as the Modoc and might be plotting rebellious acts against the United States government. This action would also placate the Oregon civil authorities, who were demanding that the guilty parties be bound over to the sheriff of Jackson County for execution. As plans were developed to carry out these intentions, word was received from Washington questioning the legality of this action and ordering the Commander to "Hold the prisoners till further orders."[42]

This delay in the long anticipated executions was not favorably received by the citizens of Oregon. Both the volunteer militiamen and civilians viewed the postponement as unwanted federal interference and planned revenge by lynching some of the Modoc.

While awaiting a decision from Washington on which members of the tribe were to be tried, several unarmed Modoc braves and their families surrendered at the Fairchild Ranch. As this group was being brought to the army camp at Clear Lake, two men, unknown to Fairchild, intercepted the wagon, forced Fairchild down from the drivers seat and killed four Modoc men. The unidentified assailants escaped. While the military authorities paid lip service to a condemnation of killing the unarmed surrendering Indians, no attempt was made to bring the guilty whites to justice. Superintendent Odeneal suggested that Agent Dyar conduct an investigation, but Dyar was much too busy at the agency. The fact was that evidence would be difficult to obtain, and that any investigation should be done by someone who was a stranger to the area. Consequently, the whole matter was dropped.[43]

Shortly after the murder of these unarmed Indians, Davis ordered the prisoners—forty-four men, forty-nine women and sixty-two children—to be taken from the field headquarters at Clear Lake to Fort Klamath, a distance of almost one hundred miles. The movement was accomplished in about seven days. Most of the Modoc men were in leg irons for reasons of security, but this did not prevent an attempt at escape by Black Jim and Curley Headed Doctor. Curley-Headed Jack, guilty of killing an army Lieutenant, escaped punishment by committing suicide while waiting to be hanged. According to Modoc tradition, death by strangulation meant the soul could not leave the body, and therefore any type of death was preferred over hanging.

By the time the Modoc prisoners arrived, everything was in readiness for them. Davis had sent word ahead that he was

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[42] Murray, *op. cit.*, pp. 272-274; Payne, *op. cit.*, pp. 236-238.
[43] Murray, *op. cit.*, p. 277; Bancroft, *op. cit.*, p. 663.

bringing the prisoners in and had ordered a stockade be constructed for their use until such time as the government could decide upon their destiny. The stockade was constructed of pine logs and located in the southwest corner of the Fort. The enclosure was one hundred feet long and fifty feet wide and had walls eleven feet high. It was divided into two sections; one area was one hundred by fifty feet, the other fifty by fifty. The Lost River group occupied the larger of the two areas, and the Hot Creek Modoc were placed in the smaller part. The division within the stockade was made necessary by the friction which existed between the two groups of Indians. The Hot Creek band, under the direction of Shacknasty Jim had not wanted to engage in war and had been drawn into the conflict only because they had not been able to return to the reservation.

Confinement within such a small area must have been unbearable for the Modoc who had been used to having the freedom of the entire countryside. There was barely enough room for each person to lie down. It was ". . . a true concentration camp".[44]

The leading warriors—some eleven to thirteen men—were not permitted to enjoy the limited freedom of the small stockade, but were placed in three wooden cells on the ground floor of the fort guardhouse. They remained there in heavy shackles until the trial. Hooker Jim, Bogus Charley, Shoknasta Jim, Steamboat Frank and Scarfaced Charley were permitted to live outside the stockade as a reward for their cooperation with the government troops in the tracking and capture of Captain Jack. All others were confined under constant guard.[45]

On June 30, 1873, word was received from United States Attorney, General George H. Williams that due to the difficulty of assessing guilt for the war crimes, only those guilty of the actual killing of the Peace Commissioners were to be tried. The six-man military commission for the trial included four men who had fought the Modoc. Lieutenant Colonel Washington Elliott of First Cavalry acted as senior officer for the commission, and Major H. P. Curtis functioned as Judge Advocate. Frank and Toby Riddle were retained as interpreters and given ten dollars each per day for their services.

Before the trial began, Colonel Davis interrogated Allen David (a Klamath headman), Old Schonchin (the Modoc Chief who had remained on the reservation), John Schonchin and Captain Jack in an attempt to find out if the Klamath and reservation Modoc had aided the rebel group. It had been ru-

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[44] Murray, *op. cit.*, pp. 280-281.

[45] *Ibid.*, pp. 280-283; Buena Cobb Stone, *Fort Klamath (Frontier Post In Oregon 1863-1890)* (Dallas: 1964), pp. 51-52.

mored that some of the Klamath had left ammunition and firearms in hiding places for the fighting Modoc group. It had also been rumored that Captain Jack had been encouraged by the Klamath and Old Schonchin's band to murder the peace commissioners with the promise of help in fighting the white soldiers. Throughout Davis' investigation, there were denials and accusations from all concerned. Nothing was proved by either side; however it did establish doubt that either the Klamath or the reservation Modoc could be trusted.

Ironically, the trial began on the day following Independence Day, 1873. The six prisoners, Captain Jack, Schonchin John, Black Jim, Boston Charley, Barncho and Slolux faced the Military Commission without council and without the ability to speak or understand English.[46]

By today's standards the trial was short, for it lasted only five days. All six Modoc warriors were found guilty and sentenced to be hanged on October 3, 1873. Despite several eloquent petitions for the Modoc by church groups, the press, and individual humanitarians requesting amnesty for the condemned braves, President Grant supported the court's decision until September 10, when he commuted the sentences of Barncho and Slolux to life imprisonment.

The outcome of the trial was not received well by many of the white settlers of the area. They thought the Modoc who had helped in the capture of Captain Jack were as guilty as those who had been tried and found guilty. According to a letter sent to E. P. Smith, Commissioner of Indian Affairs, from Mr. Meacham, "The public are dissatisfied . . . in regard to Modocs who were taken into service of General Davis on promise of protection and pardon. These four are really very bad men. . . . Neither are they confined or ironed . . . it is unjust."[47]

In the days immediately preceding the execution, some of the rules and regulations were relaxed, and friends and relatives were allowed to visit those condemned to die. Religious counsel was given to the non-Christian Indians. While the clergyman was extolling the virtues of heaven and life in the hereafter, Jack was rumored to have asked the minister if he (the minister) would like to go to the heaven of which he spoke. Upon receiving an enthusiastic affirmative reply, Captain Jack said he would give the preacher twenty five horses to take his place on the gallows.[48]

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[46] Murray, *op. cit.*, pp. 283-284.

[47] *House Executive Document No. 122*, 1874, *loc. cit.*, pp. 311-312.

[48] Riddle, *op. cit.*, p. 197.

Reports indicate that Fort Klamath must have taken on the atmosphere of a carnival as hundreds of whites came to see Captain Jack die. Reporters arrived to cover the final chapter in the Modoc uprising. All military personnel and Modoc prisoners were ordered to witness the execution. All Indians in the area were given permission and even encouraged, to watch the punishment of these rebels.[49]

Even after death Jack was forced to suffer one final indignity at the hands of the whites.[50] His body was exhumed and sent to Yreka, where it was embalmed, and then taken to Washington, D. C. There it was said to have been exhibited in a side show. This allegation may or may not be true, but eventually Jack's remains were reduced to a skeleton and placed on display as an example of Indian anatomy in the museum of the Surgeon General's office in Washington.[51]

Official correspondence indicates that the government had been fighting the Modoc War day by day with no thought or planning for the final disposition of the recalcitrant members of the tribe. The intent was to return them to the Klamath reservation, although the attempt to place the Modoc and Klamath on a common reserve in 1864 had been a failure. Some of the white citizens in the immediate vicinity still felt vindicative toward the Modoc, and it was difficult for the government authorities to guarantee safety for those members of the tribe who had been involved in the war. There had been talk earlier of locating them at Angel Island in the San Francisco Bay area, but no official action had been taken.[52]

Superintendent Hoag stated that lands were available in the Indian Territory. He described the unoccupied lands as ". . . ample, and admirably adapted in climate, soil, delightful rivers and creeks, timber and pasturage for pleasant settlements of such tribes as are not permanently located." He confidently assured Commissioner Smith that he was certain one of three Indian groups living in the immediate area would give up or sell a portion of their unoccupied land for the Modoc and, ". . . a beautiful home could be made for them . . ."[53]

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49 Knight, *op. cit.*, p. 154.

50 Riddle, op. cit., p. 197.

51 The skull with the lower jaw of Captain Jack is in the collection of Smithsonian Institution. These bones are cataloged as Exhibit U.S.N.M. 225,070.—Norman B. Wiltsey, "Hell With the Fire Out," *True West* (November), Vol. 2, No. 2 (Austin: 1954), p. 31; Stone, *op. cit.*, p. 88.

52 Commissioner of Indian Affairs, Edward P. Smith, dispatched a letter on July 3, 1873, to Enoch Hoag, Superintendent of Indian Affairs at Lawrence, Kansas, requesting immediate information concerning the feasibility of relocating the Modoc prisoners in Indian Territory. —*House Executive Document No. 122*, 1874, *loc. cit.*, pp. 296-297.

53 *Ibid.*, p. 312; pp. 296-297.

On Sunday, nine days after the execution, one hundred and fifty-five Modoc left Fort Klamath in wagons under the guard and protection of Captain H. C. Hasbrouck with the troopers of Battery B, Fourth Artillery. The prisoners had not been informed of their destination. Upon arrival at Sacramento, California, Barncho and Slolux and their guards left the main party bound for San Francisco and Alcatraz. The rest of the group was ordered to proceed by train to Fort D. A. Russell in Wyoming and at Fort Russell they were ordered to Fort McPherson in Nebraska.[54] They arrived at Fort McPherson October 29, 1873 where they remained until mid-November when they were to begin the last part of their journey.

The one hundred and fifty-three exiled members of the Modoc tribe arrived at Baxter Springs, Kansas on Sunday, November 16, 1873. As there were no railroads going into Indian Territory, the prisoners had been sent *via* the Kansas City, Fort Scott and Gulf Railroad to the last railroad station on the line. From this point they were to continue their journey by wagons. They arrived as prisoners of war. Accompanying them to their destination was Captain Melville C. Wilkinson, United States Army, Special Commissioner in charge of the removal. The Modoc had traveled the last leg of their journey chained together in cattle cars. They were scantily clad and had been poorly fed. The frightening journey from Fort Klamath had lasted more than a month.

Before he left Oregon, Colonel Wheaton had appointed Scarface Charley leader (or chief) of the Modoc. From all indications Scarface had not been involved in the actual killing of the Peace Commissioners nor had he been a party to the killing of the white settlers on Lost River. There were times during the conflict when he had offered protection to white men whom he considered friends of the Modoc. He had also provided for the safety of peace negotiators in the Lava Beds on two separate occasions. Scarface Charley had fought as hard as any warrior, but according to the words of those who had fought against him, he had always been honorable in his dealings, whether war or peace, with both Indians and whites. Charley had some knowledge of English and had often served as Jack's interpreter. In addition to these attributes, Captain Jack had indicated to Colonel Wheaton that, although he (Captain Jack) could trust no man, if he could trust anyone, it would be Scarface Charley.[55]

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[54] John T. Adams to H. C. Hasbrouck, letter dated October 9, 1873, *Quapaw-Modoc Indians* filed in the Indian Archives, Oklahoma Historical Society (hereafter given as *Quapaw-Modoc File*, O.H.S. for all letters cited therein).

[55] H. C. Hasbrouck to Post Adjutant, letter dated October 9, 1873, *ibid.*

Prior to the transfer of the Modoc to Indian Territory, Superintendent Hoag of the Central Superintendency Office of Indian Affairs had replied to Commissioner Smith's inquiry of July, 1873, concerning a permanent site for relocating the Modoc. His first choice was land owned by the Confederated Peoria and Miami just east of the Neosho river and directly south of the Kansas border. If this land could not be obtained, Hoag suggested an adjoining tract owned by the Quapaw, as they had far more land than they could ever use. He thought the latter location would be more desirable because the tribe would be closer to Agent Jones' personal supervision and that schools would be more accessible for the children. Hoag also mentioned another tract in the northeastern part of Kansas, adjoining the land belonging to the Sac and Fox and Potawatomi.[56]

In the communication between H. W. Jones and Hoag, Jones reported on January 19, 1874, that the Quapaw had agreed to sell a parcel of land on the west side of their reservation for the Modoc. This land was not of the best quality, however, and had very little timber on it. He also wrote that the Peoria would exchange an equal amount of acreage from the south side east of Spring River of their reserve for the Quapaw land in discussion. Then the Modoc could be given the Peoria land. In Agent Jones' opinion the latter was the preferable as it had more timber, sufficient water and prairie better suited both for grazing and eventual cultivation.[57]

Settlement In Indian Territory

Located four or five miles to the north of the Indian Territory and two or three miles east of the present Quapaw Agency, Baxter Springs was a typical border town. Its growth had been stimulated by the Texas cattle trade. It was rough and boisterous, catering to the Texas cowboy. The town had a multitude of saloons, bawdy and dance houses.

Captain Wilkerson and Quapaw Agent, Hiram W. Jones, decided, after a conference, to locate the Modoc, at least for the duration of the winter months, at Seneca Station on Shawnee land. Agent Jones expressed great concern over the bad influence the Quapaw Indians might possibly have on the Modoc if they were placed on Quapaw land.

Both Jones and Wilkinson thought the Modoc would benefit more if the group could be located somewhere on the reservation where they could receive the personal attention of the agent.

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56 *House Executive Document No. 122*, 1873, *loc. cit.*, p. 312.

57 H. W. Jones to Enoch Hoag, letter dated January 19, 1874, *Quapaw-Modoc File*, O.H.S.

(Oklahoma Historical Society)

SCARFACE CHARLEY
IN INDIAN TERRITORY, 1875

It was therefore decided to build a temporary barracks within two hundred yards of Jones' house.

The women, children, and those male members of the tribe who were unable to work remained quartered at the old W. Hyland Hotel building in Baxter Springs while the able bodied men journeyed to Seneca Station to construct living quarters. They accomplished this in only one week at a total cost of $524.40. This included the cost of hauling the building materials twenty miles as well as paying three white carpenters a day's labor. It also included the cost of a large cook stove. These first quarters of the Modoc were simply constructed. They resembled an Army barracks in that they were built so that the lumber might not be spoiled for future use.[58]

The new home of the Modoc, known as the Quapaw Agency, was located in the north-eastern corner of what was later to become the state of Oklahoma. Originally it had been attached to the Neosho Agency, but due to political difficulties following the Civil War and the distance between groups, a division was recommended by agent G. C. Snow. As a result of his recommendation, on February 15, 1871, a new agency was created and named the Quapaw Agency.[59]

The Quapaw Agency Reservation was small when compared to other tribal lands. It contained approximately 202,000 acres east of Neosho River, with the northern and eastern boundaries formed by the state lines of Kansas and Missouri.

This land was described by various Indian agents as excellent for those who wish to pursue an agricultural way of life. The agency was bisected along a North-South line into almost equal parts by the Spring River. There were many rivers and streams throughout the entire area. The land was a high, rolling prairie, with rich, black, loamy soil. About one-third of the area was covered with timber suitable for house logs and rails, but not for finishing into lumber. Winters were mild, the growing season quite long. The soil was suitable for growing a variety of grains and garden vegetables. Fruit and nut trees produced an abundant harvest, and the native grasses provided supurb grazing lands for stock.[60]

In spite of the agent's glowing accounts of the "Paradise", official reports of this same area indicate that it was not unusual to have crops, fences, livestock, and in some instances homes washed away by flooding rivers. The area was described in 1839 as being well watered, not especially fertile, and mostly

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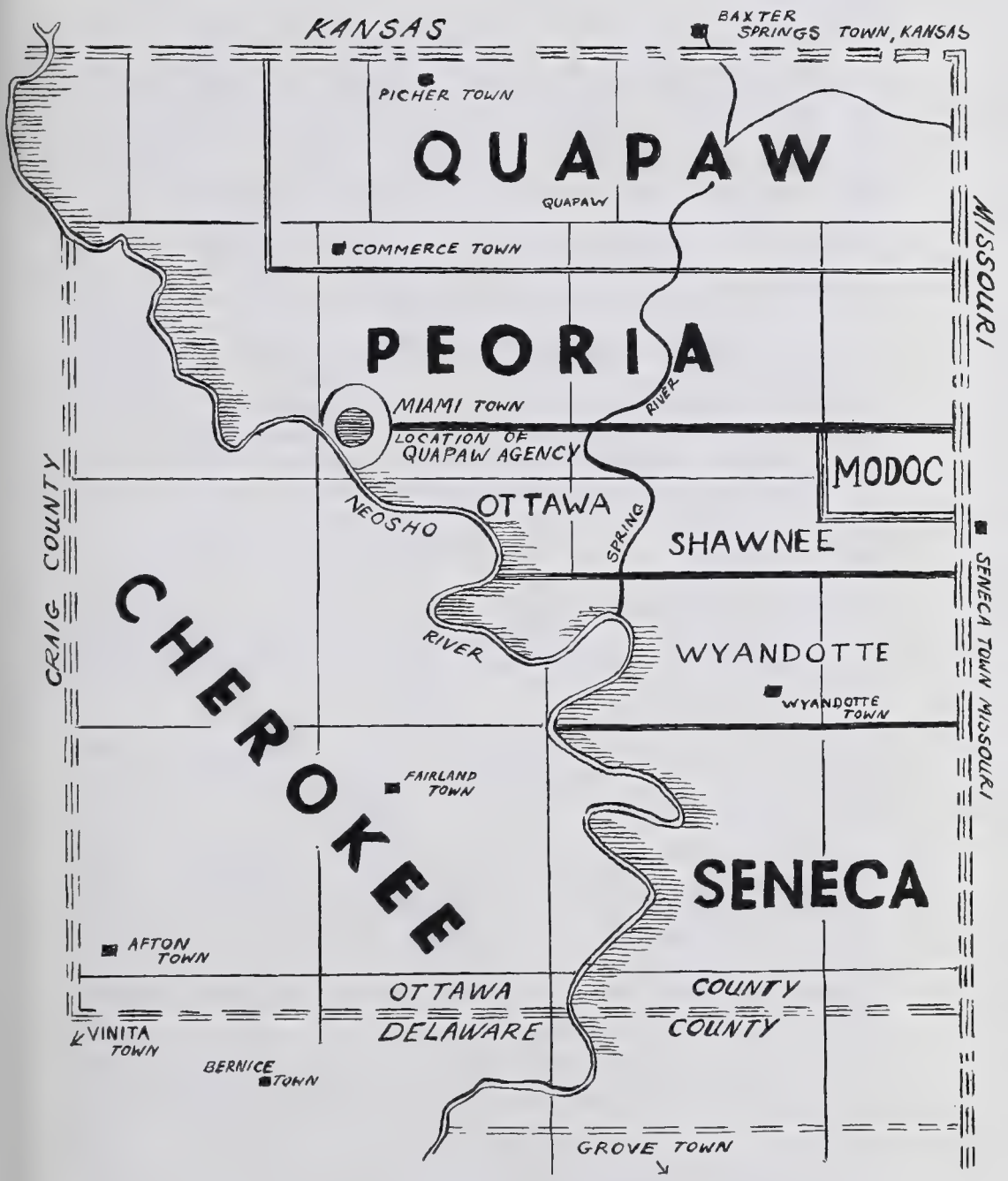
58 *Indian Affairs Report*, 1873, p. 82.
59 *Indian Affairs Report*, 1871, p. 489.
60 *Indian Affairs Report*, 1874, p. 65; 1875, p. 267; 1878, pp. 65-66.



(After Map by Charles Banks Wilson)

QUAPAW AGENCY INDIANS TRIBAL RESERVATIONS

prairie land.[61] Early day residents support the latter testimony. They remember losing crops to flooding, severe droughts, and spring freezing.[62]

By Thanksgiving the Modoc were living in their new homes. They had been running, fighting or in jail for well over a year and had brought nothing to the new home but memories. At the conclusion of the war they were badly in need of clothing, and the army quartermaster was authorized to issue, ". . . such small quantities of clothing as can be spared from the supply on hand . . . damaged clothing to be issued if practicable . . .". This order was carried out in the summer of 1873. However, since small quantities of clothing were issued, the destitute group did not have sufficient clothing for the winter season.[63]

After seeing the Modoc established in new quarters, Captain Wilkinson left them in the care of Agent Jones. In his official report Wilkinson made several recommendations to Commissioner Smith which, in his opinion, would contribute to the welfare of the Modoc. Wilkinson recommended that the Modoc be allowed to remain on the Shawnee land. He believed this site had several advantages over other suggested locations. The Modoc would be around more industrious Indians; they would be closer to schools for their children; and the land was better quality. Wilkinson also suggested that Jones' son Endsley be retained as a special agent at the salary of fifty dollars per month since his father had seven other tribes to look after. Wilkinson thought the Modoc would benefit if they had an agent of their own. He stated that the Indians had been obedient, willing to work and quick to comply with regulations. It was his opinion, that they only required ". . . just treatment, executed with firmness and kindness, to make them a singularly reliable people."[64]

The first months in Indian Territory were difficult times for the Modoc. No funds had been made available to Jones for the care of his new charges. On December 17, 1873, one month and one day after the arrival of the Modoc, Secretary Delano formally requested the sum of $15,000 be granted to the House of Representatives as a special appropriation to provide for the subsistence and care of the Modoc.[65]

Despite the regular correspondence between Agent Jones, Superintendent Hoag of the Central Superintendency and Com-

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61 Dora Eddie Buford, *A History of the Indians Under the Quapaw Agency*, Masters Thesis, University of Oklahoma, 1932, p. 21.

62 Information from Thomas Captain, Seneca, Missouri, 1967; information from Rosa Sherwood, Miami, Oklahoma, 1967.

63 *House Executive Document No. 122*, 1874, *loc. cit.*, pp. 324-325.

64 *Indian Affairs Report*, 1873, p. 82.

65 *House Executive Document No. 122*, 1874, *loc. cit.*, p. 330.

missioner Smith, wherein both the superintendent and the Commissioner recognized the need for funds and promised "prompt attention," there was still no money available to Jones for the Modoc. The American Indian Aid Association of Philadelphia, Pennsylvania, came to the rescue and sent a large quantity of seeds for the spring planting. They also sent a cash gift to Agent Jones with instructions to buy shoes and stockings for the destitute tribe.

The total amount of all funds received the first winter was less than one hundred dollars. Even with the prices of staples low in 1874, this amount was vastly insufficient to provide for ninety three adults and sixty children. With the little help that Jones could give, plus the donations of the charitable organizations, along with the fishing and hunting of the Modoc men, this small tribe survived the first winter.[66]

In the spring of 1874, Jones began to negotiate for a permanent home for the Modoc. For some reason which was not made clear in the agent's report, all of the previously mentioned homesites were disregarded, and the following agreement was made and concluded at the Quapaw Agency on June 23, 1874 between the United States Government and the Eastern Shawnees:[67]

Whereas it is desirable that the Modoc Indians (now temporarily located on the Eastern Shawnee Reservation) should have a permanent home in order that they may be enabled to settle down and become self-supporting Therefore it is agreed —

1st. The Eastern Shawnees cede to the United States a tract of land situated in the North east corner of their present reservation in the Indian country. The land so ceded to be bounded as following, to wit: Beginning at the northeast corner of their reservation running south along the Missouri state line two and one-half miles; thence west two and one half;

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66 The American Indian Aid Association had been extremely critical of the investigation into the causes of the Modoc War. They had also criticized the trial and the disposition of the prisoners. The Society of Friends, the Universal Peace Union, and the American Indian Aid Association had expressed their opinions in leading newspapers and lecture halls and had sent small cash gifts.—Jones to Hoag, letter dated January 19, 1874; Smith to Hoag, letter dated January 30, 1874; Sheamian to Jones, letter dated January 29, 1874, and letter dated February 14, 1874; all in Quapaw-Modoc File, O.H.S. Also, notes from an interview with Thomas Captain, 1967.

67 Records indicate that Agent Jones had little in the way of extra finances at his disposal to help the Modoc. The budget allocated for the Quapaw Agency for the fiscal period was $8,660, and there were eighteen people employed by the agency. These employees included the agent, a teacher, five blacksmiths, and three Indian blacksmith apprentices. The remaining eight employees were a storekeeper, two carpenters, two farmers, and three Indian apprentices for these trades.—Sheamian to Jones, letter dated February 2, 1874; and Wood to Jones, letter dated April 15, 1874 in *Quapaw-Modoc File, O.H.S.* Also see *Indian Affairs Report*, 1873, p. 214.

thence north to the north line of said reserve; . . . containing 4000 acres more or less for which the United States is to pay $6,000.

2nd. The land proposed to be purchased in the first article of this agreement shall be set apart as a permanent home for the Modoc Indians.

This agreement was signed by the mark of Thomas Captain, Chief of the Eastern Shawnees and Agent Jones.[68]

Agent Jones was soon confronted with the problem of allowing the Modoc to leave the reserve. Mr. E. C. Boudinot, of the Cherokee Nation, requested permission from the Commissioner of Indian Affairs for some of the Modoc to accompany him for lecture tours. After conferring with Superintendent Hoag, Agent Jones decided against letting the Modoc leave the reservation as he felt that the Indians would be made a spectacle of, and this would tend to unsettle and demoralize them and would not be in keeping with their general welfare.[69]

In keeping with President Grant's "Quaker" policy, many Indian agencies in Kansas and Indian Territory were administered by the Society of Friends. In the Central Superintendency there were eight Friends agents and eighty-five other government employees who belonged to the Friends Church. A mission school had been established by the Society of Friends for the Quapaw Agency in 1872. In time, fifteen schools were operated in the area by the Kansas Friends.[70]

The Friends School was operated by a contract between the Federal government and the Associated Executive Committee of Friends of Indian Affairs. The government provided land and a school building, and paid two dollars per week per student to the Kansas Friends. The Friends furnished a teacher and, in some cases where distance was a problem, they provided board and care for the children. Attached to the school was a mission farm of 160 acres planted in corn, oats and wheat. The school-farm raised vegetables, planted fruit trees, maintained horses, cattle and poultry for their own needs and sold any surplus crops or stock. The academic curriculum of the school

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68 *Indian Affairs Report*, 1875, p. 372.

69 The Modoc were visited by Mr. A. B. Meacham, who was playing a lecture tour of the Eastern States and thought that it would add color and interest if he could get several of the Modoc to accompany him. For the next three years Meacham, in the company of Toby and Frank Riddle from Oregon, and at various times Scarfaced Charley, Steamboat Frank and Shacknasty Jim of Oklahoma, relived the adventures of the Modoc uprising in the lecture hall.—Smith to Jones, letter dated April 16, 1874; Jones to Hoag, letter dated May 11, 1874; Boudinot to Jones, letter dated May 10, 1874, all in *Quapaw-Modoc File*, O.H.S. Also see Murray, *op. cit.*, p. 311.

70 Sheldon Glenn Jackson, *A Short History of Kansas Yearly Meeting of Friends* (Wichita: 1946), pp. 67-69.

MODOC MISSION SCHOOL IN INDIAN TERRITORY 1880

(Oklahoma Historical Society)

included reading, writing, arithmetic and geography. Girls were taught the fundamentals of cooking, sewing and general housework; the boys received basic instructions in farming procedures, carpentry, and animal husbandry. Bible study was given daily and temperance encouraged at every opportunity.

At the formation of the school, in 1872, there was only one teacher, Emaline Tuttle, but with the arrival of the twenty-five Modoc students, a second teacher, Asa Tuttle, was hired.[71]

A representative of the Board of Indian Commissioners, F. H. Smith, made a visit to the Agency in September of 1874 to investigate the welfare of the Modoc in their new home. He reported that the children were making excellent progress in school and were learning the English language quite rapidly. He also reported that several of the adult members of the tribe were learning to read and write.

Mr. Smith further stated that in a formal talk with all members of the tribe assembled, each had expressed satisfaction with the new home and all were looking forward to learning farming or trades and wanted to become like white men as soon as possible.

At this same meeting Smith mentioned that he would be going to Oregon soon. When they heard this, the Modoc besieged him with requests to look up members of their families, to deliver messages to friends, to take photographs to show how prosperous their group was and to deliver gifts, etc. to the Oregon group. Another topic that was brought up was the idea of having the Oregon Modoc removed to the area next to the Modoc in Indian Territory. Unfortunately, Mr. Smith was unable to visit the Oregon group, but he did contact Agent Dyar at Yainax, Oregon and was told that if a removal action was thought best by the government authorities, there would probably be no objection on the part of the remaining Modoc.[72]

The reason given for removing the Oregon Modoc was that the land on which they were living was not suitable for cultivation and the Indians were not inclined to pursue industrial types of labor. The estimated cost to transport the one hundred and three Oregon Modoc to the Quapaw Agency in Indian Territory was $12,000.00. Agent Dyar was incorrect in his assumptions that the Yainax Modoc would not object to being moved. They were quite content to remain in their native area and expressed a great desire and determination to live and die on their own land. They, too, had made commendable progress in adapting

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71 *Ibid.*, p. 68; *Indian Affairs Report*, 1872, p. 229; 1875, p. 218.

72 *Indian Affairs Report*, 1874, p. 50, pp. 88-89; 1875, p. 69, p. 347.

to reservation life. School attendance was increasing, large amounts of land were being planted, even though late spring frosts limited agricultural pursuits, and there was a greater emphasis on stock raising. In general, the Klamath Agent believed there had been a steady improvement in the acculturation of the Oregon Modoc.

The Modoc appropriations were received (at least in part) by the Quapaw Agency before the winter of 1874. Funds in the amount of $15,000.00 were allotted for Modoc assistance on September 13, 1874, almost one year after their arrival in Indian Territory. The first receipt for government issue rations on record is dated October 1, 1874. This document (in O.H.S.) signed by the Chiefs Bogus Charley, Steamboat Frank and Shoknasta, documents the fact that 125 of the Modoc tribe received rations from H. W. Jones. The tribe as a whole received a weekly ration of 870 pounds of beef, 700 pounds of flour, 70 pounds of sugar, 9 pounds of coffee, 20 pounds of soap, 2 pounds of soda, and 15 pounds of salt. Some new clothing and blankets were also issued to all members of the tribe.

Agent Jones had made progress in teaching the Modoc farming, log splitting, fence building and other similar elements of "white culture", but with the newly acquired wearing apparel he encountered a new difficulty. The Modoc's favorite leisure pastime in their native homeland had been gambling games, and with the arrival of new blankets they resumed this sport, using the blankets as gambling stakes. Jones, a good Quaker layman, demanded that Scarface Charley forbid the Indians to continue their gambling. Charley either did not or could not influence the rest of the tribe to stop gambling, so the Agent removed Scarface Charley as chief and appointed Bogus Charley as acting chief. According to the Indian Affairs authorities. "The change proved acceptable to the bank, and its moral effect was excellent."[73]

Throughout the winter months the Modoc had kept to themselves. They stayed on the reservation and from all reports were quite docile and cooperative, but in the spring there were complaints concerning their conduct. Smith Nichols of Seneca, Missouri made accusations regarding Modoc's actions in the Seneca community. According to Nichols, the Modoc were getting drunk and creating disturbances. When Agent Jones investigated this report of disorderly conduct, he found it to be false. Many of the citizens of Seneca thought very highly of

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[73] *Indian Affairs Report*, 1874, p. 88; Jones to Hoag, letter dated November 10, 1874, and Hoag to Jones, letter dated November 30, 1874, in *Quapaw-Modoc File*, O.H.S.

the Modoc and stated that they had never been guilty of any misconduct.

By the end of 1875, the Modoc had made substantial gains in their transition from former native culture patterns to behaviors which were acceptable to the authorities; that is to say, to the agent and employees of the Indian Agency. With approximately only twenty able-bodied men in the tribe they had constructed twelve log houses which usually had at least two rooms and a "lean-to". They had planted and harvested fifty acres of corn, and all had worked at raising enough vegetables for their needs throughout the summer and coming winter. They had cut trees and made 17,000 fence rails and had fenced 160 acres of the 200 acres which Agent Jones had plowed for them at the beginning of spring.

Jones had purchased two yoke of oxen and two wagons for their use in farming and hauling. He had also bought eight cows with calves as a start for stock raising. It was Jones's opinion that most of their land was better suited for grazing cattle than for agricultural purposes. He hoped, therefore, to encourage them in these efforts. Bogus Charley, who was chief at the time, had already managed to save enough money to buy one cow and calf.

The conduct of the Modoc had been excellent in every respect. Although they were busy on their land, they had also taken jobs on nearby farms, which Jones had found for them to supplement their income. The agent stated that they were diligent and worked with more initiative than he had expected. This statement is corroborated by descendents of this original group. They remember hearing their parents and grandparents talk of arriving with nothing, but after a short time having the best teams and buckboards in the area.[74]

By 1878, the mission school which the Modoc children attended had an enrollment of 90 and an average attendance of 70. This school was open almost all year. The adult Indians insisted upon the children's attending class. The students applied themselves to their studies, and all but the very youngest were able to read and write. As these schools were sponsored by a church group, civilization was equated with Christianization, and particular emphasis was placed on religious and moral training.

The Modoc were active in the church that was established for them by the Quakers, and the temperance work done with

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[74] *Indian Affairs Report*, 1875, p. 282; Information from Vernon Walker, Seneca, Missouri, 1967.

this group was successful. Even the Quaker missionaries were impressed with the interest shown in the church by the Modoc. One of these early church workers described a visit to the church as follows:[75]

> Sabbath day. A fierce blizzard was raging and the white man's church was empty. The snow beat into our faces as we drove along in the intense cold to the Friends' Meeting House in the Modoc camp, where John and Julie Hall work as missionaries. As we drew near we saw the Modoc coming from various directions through the storm. There were sixty of them present! Moses Kyst, a Modoc warrior, was the first to bow in lowly prayer. Scarfaced Charley, one of the old chiefs from the Lava Beds also spoke. Faithful William, Robin Hood, Clinton, and others of their heroes were present. The Modoc meeting is a marvelous testimony to the miraculous and conquering power of the Gospel of Christ."

One of the Lava Beds warriors, Steamboat Frank, later took the name of Frank Modoc and was recognized as a minister by the Spring River Quarterly Meeting. Some of the older area white residents remember hearing him and some of the other Modoc speak at church meetings. Steamboat Frank was installed as the leader in the new church building. It was stated that he, ". . . feels the responsibility of his position and will undoubtedly exert a good influence over his people." After several years of active work with the Friends missionary group, Frank went to Maine in 1886 to study formally for the ministry. He never realized his dream of a pastorate of his own as he died about two years later while still in school in Maine. Some of those who knew him say he died as a result of pneumonia during a severe New England winter; others say his death was caused from "consumption" which he had contracted in Indian Territory.[76]

The church building used by the Modoc is still standing today, and services are held on Sunday and Wednesday. Originally, it was about four miles directly south of where it is now located, but when the Modoc reservation was platted, it was moved next to lot 85 where the cemetery was located. The present site of the Modoc Church is eleven miles east of Miami, Oklahoma on State Highway 10C and one-half mile south on a dirt road. It is a small, well-kept, white, wooden structure, barely visible from the highway. Sunday School attendance records which go back as far as 1912 show some familiar names.

The Modoc Indians had progressed in their first three years of reservation life, and Agent Jones had an additional 160 more acres of prairie land broken in 1877 for the spring planting. He also purchased a combine and revolving hay rake for the Modocs' use. Having become better acquainted with his charges, the Agent thought the Modoc might do even better with stock raising

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[75] Jackson, *op. cit.*, p. 69.

[76] *Ibid.*, pp. 69-70; *Indian Affairs Report*, 1879, p. 77; interview with Thomas Captain, 1967.

(Oklahoma Historical Society)

FRANK MODOC, MINISTER
1884

Lava bed warrior, formerly "Steamboat Frank" of the Modoc War, after he became the minister of the Modoc Quaker Church in Indian Territory

than with farming due to their natural temperament and the nature of the land upon which they were living. After all necessary purchases had been made for the new crops, a considerable surplus still remained in the money allotted the Modoc. Jones used this balance for the fiscal period for the purchase of sixty-one cows and calves to add to the small herd of thirty head of cattle the Modoc already had.[77]

From reports, records and conversations with residents of the area, the Modoc appear to have been very industrious. Both men and women worked in the fields, and the men continued to hunt and fish to supplement their food supply. Official agents' reports and records indicate this small band of people made more progress with less land than any other group under the jurisdiction of the Quapaw Agency. For example, the Modoc had less than one-tenth of the land owned by Quapaw Indians, yet they cultivated 168 more acres, harvested more wheat and corn and cut three times as much hay in 1878. In 1879, they did even better. Their corn harvest was six times greater than the Quapaw's. They harvested 120 bushels of wheat as compared to no wheat for the Quapaw, and they cut four times as much hay. They continued to build up their livestock herds until they had a total of ten horses, six mules, one-hundred and seventeen head of cattle and two-hundred and twenty-seven hogs. To supplement their meager cash income, fifty of the Modoc men and boys took jobs in nearby towns.

By the end of 1879, there were only ninety-nine men, women and children on the Modoc rolls at the Quapaw Agency. There had been much sickness and many deaths since their arrival in Indian Territory. The infant mortality rate was particularly high, and a great many of the people were suffering from tuberculosis and other respiratory diseases. In spite of all this sickness and a decline in the population, the officials were still able to continue to report good results from this small tribe. Agent Jones's early impression that ". . . they plow and sow and reap with the same persistent courage with which they fought," was confirmed in numerous reports.[78]

For the most part, the Modoc lived in harmony with all the other area Indians and the nearby white residents. There was one occasion, however, in 1879, which almost erupted into a Modoc War in Indian Territory. John Albert, a merchant of Seneca, Missouri, murdered a young unarmed man of the Modoc

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[77] *Indian Affairs Report*, 1877, p. 103.

[78] *Ibid.*, 1878, p. xxxv; 1879, pp. 232-233; Information from Rosa Sherwood, Miami, Oklahoma, 1967.

tribe. The Indian's name was Shapleigh. According to a newspaper report, Shapleigh and Albert had disagreed over the amount of a delinquent account. Shapleigh had promised to pay as soon as he could get some money, but Albert had continued to harass the young Indian who eventually left Albert's store and took refuge across the street in another shop. Albert pursued the Modoc and shot him as he crouched in terror behind a large wood burning stove.

At the time there were a number of Modoc in Seneca. They immediately claimed the body and returned to their reserve. On the evening of the same day, Bogus Charley, the chief, rode into Seneca, warning that the Modoc were planning to attack the town. As Chief, Charley had tried to dissuade his tribesmen, but they were intent upon having revenge, and he could do nothing to prevent the attack. With great haste the townspeople sent word to all of the farms in the area and rural families began arriving to help protect the community. Shortly after dark there were over three hundred well-armed men stationed on the hills surrounding the small town. The Modoc learned of the great number of armed men in Seneca and thought they were coming to attack the Indian village. Therefore, the Modoc decided not to leave their own homes unprotected.[79]

A conference was held the following day between the Modoc and the people of Seneca. After some deliberation, differences were settled. The white merchant guilty of killing the young Indian man was arrested and tried, but, as in most cases involving a crime committed against an Indian, he was acquitted.

Mr. C. E. Norris of Seneca, who was a small boy at the time of this outbreak, says that for several years after this event, the Modoc would ride through the streets of Seneca at regular intervals in warpaint. According to Mr. Norris, there was never any attempt to start trouble, and the white men of the community were rather confused about why the Modoc did this. It was finally decided that their actions were a reminder that the Modoc had not forgotten the unwarranted killing of young Shapleigh and a warning to the white men of the community against another action of this type.[80]

In addition to their farming, the Modoc worked at anything that brought them a cash income. They hauled materials and

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79 Letters, dated 1877-1879, in *Quapaw-Modoc File*, O.H.S.

80 According to the official correspondence between the Agency and the Indian Bureau, newspaper reports were generally true. The young man's name was Shap-a-lina, son of Nancy Bogus.—Floyd M. Sullivan, "Modoc Indians Planned to Attack Seneca," *The Springfield Press*, June 20, 1930, p. 17; McCarty to Dyer, letter dated March 24, 1881, and *Agent's Report*, 1879, in *Quapaw-Modoc File*, O.H.S.

supplies to and from the railroad, and they cut timber from their reserve and sold it to builders in Seneca, Missouri and Baxter Springs, Kansas. While the men were making their livelihood at these different occupations, the women were supplementing the family income by selling beadwork and trinkets to the tourists and the residents of the surrounding territory.

One enterprising member of the tribe had exceptional skill with a bow and arrow. This marksman would go to the railroad station, and, while the eastern travelers were stretching their legs between stops, he would notch a stick and place it in the ground; then, stepping back several paces, he invited the travelers to put coins in the notched end of the twig. When the coin was properly placed, the Modoc would draw his bow and send an arrow toward the coin. He rarely missed hitting his target, and, after scoring a hit, he pocketed the coin.[81]

The granddaughter of a Modoc chieftain related a similar story to this writer about her grandfather, Shoknasta Jim.[82]

Friction developed within the Modoc tribe in 1880 as evidenced by a letter dated April 3, of that year. The letter, signed by eleven Modoc men and addressed to "Our Great Father in Washington," stated that a council had been held and that the tribe wanted to remove Bogus Charley as chief and make Long George the First Chief. The Agent forwarded the request to the Commissioner of Indian Affairs with his personal recommendation that the position of chief be abolished. Commissioner Trowbridge replied that he agreed with the agent that this might be the best procedure as "A Modoc chief has no authority, and is of no essential benefit to the tribe . . ." The Commissioner further recommended that all future business between the Government and the Modoc be transacted directly with the individual tribal members concerned.[83]

Modoc Acculturation

Early in 1880 the Quapaw agency personnel was changed. After very brief tenures by J. M. Haworth and Amos T. S. Kist, an agent by the name of D. B. Dyer was appointed in 1880. In his first report he stated that he thought the Modoc had made remarkable progress considering ". . . the lax management for the past year." He also mentioned that incidents of gambling and drinking were quite prevalent. His major complaints were that the Modoc had been allowed to sell their livestock whenever they had wanted to and consequently their herds were

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81 Sullivan, *op. cit.*, p. 17.

82 Information from Viola Fryatt, Seneca, Missouri, 1967.

83 R. E. Trowbridge to Amos T. S. Kist, letter dated April 26, 1880, *Quapaw-Modoc File*, O.H.S.

much smaller than should be. He also was critical of the small amount of acreage under cultivation as he felt that each man should have all the land he was willing to work. Dyer was very pleased with the progress the children had made in school and with the construction of fourteen new houses during 1879. He believed that with good advice, proper encouragement, and fair dealing the Modoc could be ". . . elevated socially, so that they will take pride in not being pensioners of the government."[84]

Without exception the Modoc were described as peaceable, thrifty, hardworking, sober and eager to learn the new way of life. It was stated that when there was trouble or difficulties of any type the Modoc listened to the missionaries and followed their direction. In all of the Modoc correspondence between the Quapaw agency and the government,—well over a thousand letters and documents on file at the Oklahoma Historical Society—there are descriptions of only three incidents which indicate anything but the most harmonious relations prevailing between the Modoc and the whites of the nearby towns.[85]

The agents report of 1882 also states that, "Superstition prevailed to some extent." Although the Modoc clung to traditional burial practices it does not appear that the majority of the Modoc had retained any of the traditional mythology or religious ceremonies in the new homeland. The Modoc descendants who have talked of this matter with their parents and grandparents say that they were never told of rituals, ceremonies, or dances of the old days.

Even though the agent's reports paint a very fine picture of life on the Modoc Reserve in these first few years they are misleading. At this period in history Washington officials and Indian Agents seemed to place more emphasis on telling of the successes of the Indians than stressing the difficulties that the groups experienced. However, records of these hardships are available from the Agency correspondence at the Oklahoma Historical Society. They show that funds were always short of needs, thereby the number of houses which could be built were limited. Lack of money prevented adding to the herds of cattle and horses. It was economically impossible to hire enough agency personnel to provide adequate trade education for the Indians. Therefore, they were unable to acquire the skills necessary to compete in the local labor market.

Possibly because of the discrepancies in accounting under Agent Jones, succeeding agents had to make numerous written

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[84] *Indian Affairs Report*, 1880, p. 88.

[85] Letter Ben Hamilton, notary public of Seneca, Missouri, to Agent Dyer, 1881, in *Quapaw-Modoc File*, O.H.S.

requests to Washington in order to receive even such small items as hand tools for clearing the land. Agents' requests for money and additional supplies were denied many times. Despite the financial handicap and crop failures (due to drought one year and flooding another), the Modoc continued to work their land, to seek jobs in towns and to improve their lot generally. Children were regular in school attendance and even some of the older people learned to read and write.[86]

W. M. Ridpath succeeded Dyer as the Quapaw Agent on September 1, 1884. In his first annual report, submitted August 26, 1885, he stated that, "I cannot write as glowing a report of this agency as my predesessor did." Mr. Ridpath commented that the "remnants" of the eight tribes of the Quapaw Agency were all civilized and able to earn a living for themselves. Most of them spoke English fluently and their communities compared favorably with white settlements of the neighboring states. He wrote that, in general, the tribes were compatible with each other, but that there were many petty disagreements among the tribes, with the exception of the Senecas, Wyandottes and Modoc. The new agent was most impressed with the work of the schools at the agency and thought that they were doing a remarkably fine job considering the problem of the distances children had to come and the conditions of some of the school buildings. In 1885, Ridpath recorded the population of the Modoc at ninety-seven.

Between September and December of 1885, J. V. Summers replaced Ridpath as the Quapaw Agent. Summers, too, remained at the agency for four years. During this period, life at the agency continued much as it had in the preceding years. The Modoc population decreased yearly with ninety-one listed for the year 1886 and eighty-eight for 1889. There is no explanation for this decline other than that in 1888 the agency physician reported an "excess of malarial troubles . . . occasioned by an exceedingly rainy spring." According to Agent Summers, the Modoc continued their industrious pursuit of agriculture and many of them took jobs at "civilized labor." In discussing the various agency Indians, Summers was in agreement with other agents before him that the Modoc were "the best of the lot." Of this small tribe Summers wrote in his 1888 report: "The Modocs are good workers, and this is really the foundation of an Indian's civilization; where they will work, as the Modoc do, their future is assured. The Indians of this tribe dress better, farm more intelligently, add to their improvements, keep their

[86] *Indian Affairs Report*, 1883, pp. 82-3; 1884, pp. 308-09; 1885, p. 97; 1886, pp. 139-140.

houses cleaner, cook their food better, and send their children to school tidier each succeeding year."

From their first days in Indian Territory, the Modoc had encouraged their children to attend school, and only on rare occasions did the parents have the children stay home to help with planting or harvesting. Several of the Modoc boys attended the Carlisle Indian School in Pennsylvania, but were brought home upon the death of one of their Modoc classmates. With the death of this young man the Modoc declared that no more of their children would be permitted to go away to school.

In 1885, the Acting Commissioner of Indian Affairs, A. B. Upshaw, requested a full investigation and report from the Quapaw Agent regarding the condition of the Modoc. He had received word that they were suffering from disease and most unhappy. As a result of this investigation and subsequent report three of the Modoc were permitted to return to Oregon to see if there would be room for the entire group on the Klamath Reservation and if the Oregon Indians would object to their returning. Eight members of the Modoc tribe (because of their poor health) were given permission to return to Oregon during the summer of 1886. In August of the following year Upshaw again wrote to Agent Summers requesting information as to how many of the Modoc would be willing to return to the Klamath Reservation at their own expense.

On February 8, 1887, President Grover Cleveland signed an act for the allotment of lands in severalty, known as the Dawes Act. This law provided that the president was authorized to have all Indian reservation land surveyed and allotted to individual Indians. As early as 1883 the Quapaw Agent had written in his report that several Modoc had asked for "Uncle Sam" to give them 160 acres and if this were done they would seek no further aid from the government.

On October 30, 1891, Indian Commissioner, T. J. Morgan, transmitted to the Quapaw Agent 68 patents, dated October 10, 1891, ". . . in favor of the members of the Modoc tribe . . . for lands in the Indian Territory alloted under the Acts of February 8, 1887, and February 28, 1891." The Modoc Reserve was surveyed and platted by J. J. Powers of Seneca, Missouri, between the years of 1888 and 1891 and was found to contain 4,000 acres.

After receiving their allotments in 1891 some of the Modoc returned permanently to Oregon. Others went to Oregon, but came back to Indian Territory. In the Spring of 1893, only 47 Modoc remained at the agency. However, the census of 1899 lists 50 members of the Modoc tribe as residents. Mr. Goldberg

considered it most unfortunate that the Indian land was not governed by more stringent regulations so as to prevent the whites from gaining control for such small cash rental fees. He thought the Modoc the most "thrifty" of all the tribes of the agency. He stated that nearly all of the Modoc allottees cultivated all or a part of his land and that he, "did not know of one able bodied man or woman of this tribe who is not willing to work if he or she receives compensation for his or her efforts."[87]

In 1901, the Quapaw Agency was closed and the management of affairs transferred to the Superintendent of the Seneca School. Edgar A. Allen, superintendent and acting agent, recommended that there should be an eventual withdrawal of all government support and supervision over the Indians. In 1902, a Klamath council convened for the purpose of deciding whether or not to grant the wishes of the Indian Territory Modoc to return to their traditional Oregon home.

By an act of Congress dated March 3, 1909, the Oklahoma Modoc were reinstated on the rolls of the Klamath Agency in Oregon. This enrollment meant that the Modoc would be eligible to receive allotments and benefits from the Klamath Reservation in addition to those they had received in Oklahoma. This act of Congress was not well received by many of the Klamath Indians. With the restoration of the Oklahoma Modoc on the Klamath rolls in Oregon, all mention of the group as a separate tribal entity is omitted from the Indian Affairs Reports of the Oklahoma area. After the reinstatement of the Oklahoma Modoc to the Klamath rolls additional members of the Oklahoma group returned to Oregon.

Some of the Modoc sold or leased their land for little more than the price of a ticket to Oregon. This practice was not exactly "cheating" the Indians but it was certainly an unethical business procedure.

Informants spoke of the hardships endured by the Modoc in their attempt to farm their land in Oklahoma. Because of poor drainage and erosion they often lost crops too late in the season to replant. Most of the farmers had their own livestock and they derived some income from selling surplus stock. The men of the tribe quite often traded work with one another and with the white farmers of the area during the planting and harvesting seasons.

Apparently the value of education has persisted through the years for the descendants of the Modoc. The children and

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[87] *Ibid.*, Pt. I, 1899, p. 188; 1903, p. 286.

grandchildren of the original group relate that they were expected to go to school and to learn while there. If word was received by the parents that either deportment or application was lacking it was a serious matter and almost a certainty that punishment would be forthcoming. At this time almost all of the young people completed highschool, with many of them going on to college. Members of the Indian Territory Modoc served in the Spanish American War, and in both World Wars.

Informants today do not know of any members of the group who still attend the Modoc Church. Headstones in the cemetery indicate that it has been in constant use since April of 1874, with the latest burial taking place in 1965. At the time of this writing the cemetery and two trust allotments belonging to Hazel Clinton and Lucy Pleasant, deceased for many years, are all that remain of the tribal property remaining in Oklahoma.

After the Oklahoma Modoc were put on the Klamath rolls, they shared in the "Per Capita" payments from that reservation. These payments are from the sale of trees on tribal lands. August 13, 1954, Congress enacted Public Law 587 which provided for the termination of federal supervision over the property of the Klamath Indians. As a result of this legislation all members of the Klamath tribe enrolled on that day had the option of withdrawing from the rolls and being terminated with a cash settlement or remaining and having the United States National Bank of Oregon manage their undivided shares in the tribal lands. Thus they would continue to receive "Per Capita" payments.

Members of the group interviewed living in the Oklahoma area elected to take termination and receive a cash settlement. Approximately four years after the passage of Public Law 587 those members whose names appeared on the final rolls in the Federal Register, and who so desired termination, received as a group between $43,000.00 and $45,000.00. From all indications this settlement did not change the lives of the Modoc interviewed in the preparation of this thesis. They continued with their jobs or businesses, living in the same houses as before. Several report that they have either invested the money or placed it in trust and have not found it necessary to draw upon it.

In 1950, the government's Indian policy was changed as a result of attacks upon the Indian Reorganization Act of 1934. This change brought about legislation with the primary objective aimed at getting the Federal government out of the Indian business. To effect the implementation of Congressional policy declarations an intensive "termination" program was planned. Briefly, this plan provided for the removal of any and all di-

rect federal supervision from the various Indian tribes as soon as possible.

Under the termination statutes passed by Congress, the tribal rolls were to be closed after a designated date and there could be no additions to the official tribal membership. After this same date federal trusteeship was to cease. Certain essential services were to be transferred to other governmental agencies, for example, Indian health programs were to be shifted to the Public Health Service. After the expiration date of federal trusteeship, tribal lands and income from these lands was to be taxable. The legal existence of the tribe was to cease with the last surviving member.

The Indian tribes were not given a choice whether to take or decline termination, but they were given the choice of selecting the method of carrying it out. The Klamath Tribe was offered the option of individual distribution of tribal assets or having the assets held in trust and managed by qualified specialists. Approximately two-thirds of the Klamath members chose individual distribution of tribal assets.

Information in the final roll of the Klamath consisted of name, address, degree of Indian ancestry, date of birth and relationship in the immediate family for each tribal member. The final roll did not provide information indicating to which of the three sub-groups a member belonged, nor did it give information on marital status, education, etc. However, just prior to publication of the final roll in 1954, a census was taken which contained this information. This census recorded a total of 2,086 members in the Klamath Tribe.

An examination of the final federal roll disclosed that 44 members (representing 19 families of the non-reservation tribal members) gave addresses in the mid-western states. Sixteen of the 44 were residents of the Miami, Oklahoma, and Seneca, Missouri area. Sixteen of the remaining twenty-eight tribal members were residing elsewhere in the state of Oklahoma; five were living in Iowa, three in Texas, two elsewhere in Missouri, one in Kansas and one in Arkansas. Of the 19 surnames represented in the six states, contact was established with eleven families. From conversations with these informants and a study of the Federal Register (57-8537, pp. 1-7) a direct line of descent from four of the original Modoc families (Ball, Clark, Pickering, Spicer) receiving land in 1891 can be traced in 13 of the 19 families in the midwest area. The informants were in general agreement that the tribal members living in the midwest were descendants of the Modoc group sent to Indian Territory in 1873.

Klamath census statistics indicate that the Modoc of the Kansas-Missouri-Oklahoma area have intermarried with white people to a greater degree than have those members of the Klamath tribe living in Oregon. Modocs living in Oklahoma could have married members of other Indian groups, but they did not. Possibly a greater degree of contact between whites and Indians as compared to the Oregon area led to more intermarriage with whites.

From the time of their arrival in Indian Territory in 1873, the Modoc must have seen the need for preparing their children for the changing times through education. Even in the early days all members of the tribe were interested in the school. One member of the original group, who was a small child at the time of the Modoc War, attended college. Several adult members of the tribe learned to read and write. Three of the men who had fought in the Modoc War became ordained ministers. Some of the children of the original group became teachers, one became an engineer and another who returned to Oregon when an adult, became quite successful in buying and selling real estate.

According to both Indian and white informants of the Oklahoma area most of the young Modoc people in their area attend and complete high school and the majority of these go on to some specialized training. Today some of the midwestern tribal members who were in elementary school at the time of preparation of the final rolls have gone on to complete college and others are currently working toward obtaining a degree.

One of my Oregon informants, who had lived on or near the Klamath Reservation for many years, felt that there is still considerable prejudice shown toward the Indians of the region by the white people. Perhaps because the Oklahoma area was once truly Indian Territory and as such it was illegal for unauthorized white people to be within its boundaries, evidently the feelings of prejudice have never appeared to exist as distinctly as in the Oregon area. Even after homesteading was allowed, Euro-Americans were in the minority in Indian Territory for a number of years. Today, within the boundaries of the state of Oklahoma live approximately one-third of the Indian population of the United States and this segment of the population accounts for more than 5% of the total population of the state. It is stated authoritatively, "Nowhere else in the United States can be found such a blending of the blood and the civilization of the anglo-American and the American Indian."[88]

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[88] Muriel H. Wright, *A Guide to the Indian Tribes of Oklahoma* (Norman: 4th Printing, 1968), p. 3.

Although the Oregon group were living on a reservation, it appears that the Modoc in Indian Territory had unlimited access to the surrounding settlements, whereas, the Oregon group were more closely confined to the reservation. Some of my informants who visited the Klamath Reservation after having been restored to the Klamath rolls expressed their dislike for both the physical conditions of the reservation and the treatment they received there. In their opinion, there were no economic opportunities on the reservation; thus, after visiting with kinsmen they returned to the Oklahoma area.

The Modoc of Oklahoma received per capita payments, but they never seemed to become as dependent upon these payments as their Oregon kinsmen on the Klamath Reservation. In interviews Oklahoma informants spoke of this money in a different manner. It was almost as if these payments were a pleasant windfall or something for a "rainy day" but were not absolutely necessary for their existence. Immediately the question arises as to why the per capita income did not have the same meaning for and effect upon the Modoc remaining in Indian Territory, as it did on the Klamath Reservation. By the time the Oklahoma Modoc began to receive the per capita payments they were already as economically secure as most of the white residents of the area. From the first days in Indian Territory this small group had been accepted and held in high esteem by agency personnel, other Indians and white citizens of the near-by communities. Thus, a pattern of successful adjustment to a condition of forced or directed change had already been established.

Today, in Oklahoma, the forty-four descendants of the Modoc who came to Indian Territory as prisoners of war, work at the same jobs and professions as any random sample of middle class American citizens. There are or have been Modoc preachers, Modoc teachers, Modoc salesmen and Modoc men and women in government service on the local, state and federal levels. There have been Modoc soldiers, sailors and marines. They share the same attitudes and values as (for example) their third generation Irish, English, Polish neighbors.

When one of my Oklahoma Modoc informants was asked why he felt his ancestors had prospered in a new and alien land and why they had been able to make the kind of transition they did his reply was, "When I was a kid, we were so damn poor we had to make it." The same idea was expressed by others who viewed the condition of their parents and grandparents as a sink or swim situation. If the people were to survive they had to make a living from their land or find work to provide an income. The aboriginal Modoc culture was never ruled by any dominant

patterns. Behavior, whether it was individual, family or tribal was governed solely by the desired outcome.

The Modoc have run the gamut of treatment policies—from attempted extermination, social isolation, government paternalism and finally termination. The Mid-West or Oklahoma group expressed no hostility concerning the treatment their ancestors had received. There was, however, a justifiable resentment at the treatment other Indian groups have and are receiving. They feel strongly that some of the historical accounts of the Modoc War do not tell the full story. The Modoc appear proud of their background and heritage and are interested in their ancestors' history. Their way of life is no different now than any other man, woman or child residing in their area.

Certain elements are quite evident in both the traditional Modoc culture and the new homeland which contributed to the successful transition from a nomadic hunting and gathering culture to one of stable agriculturists for those members of the Modoc tribe sent to Indian Territory. Even in the aboriginal life there was a certain premium placed upon industry and the acquisition of material wealth as a means by which the individual could gain the esteem of his fellow tribesmen and rise in status in the community. As new situations came up the Modoc were not bound to adhere to traditional cultural patterns, but could make immediate changes to whatever appeared to be the most practical way to provide for the needs of the individual. And, finally, one should not overlook the apparent lack of prejudice in Indian Territory which carried over when the area became the state of Oklahoma.

NOTES AND DOCUMENTS

Recent Notes on the Heavener Runestone

By Dr. Robert E. Bell, Department of Anthropology,
University of Oklahoma

The following notes are a reply given in response to a paper presented by Mrs. Gloria Farley on the Viking origin of the "Heavner Runestone," at the Oklahoma Anthropological Society meeting at Wilburton on November 1, 1969:

Comments on the Heavener Stone Carvings

I feel obligated to make some comments regarding the view that the Heavener carvings are evidence of Viking or Norse penetration to Oklahoma in pre-Columbian times. This is an imaginary and romantic view which disregards all evidence to the contrary. It is my personal opinion that the carvings were made in modern times, probably within the last hundred years or less.

There are individuals who believe that the world is flat; there are many individuals who search for or study about the mythical Lost Continent of Atlantis; there are many individuals who seek the "Lost Tribes of Israel" or who search for the "Golden Plates." There are also individuals who believe that the Heavener carvings were made by Vikings who somehow wandered into eastern Oklahoma centuries ago. Why do people support these irrational ideas? Aside from possible personal profit or promotional schemes, they do so because they want to believe them to be true. The ideas are stimulating to the imagination and have an aura of mystery about them.

It is not hard to find supporters for the unusual or romantic view, and these supporters are not necessarily untutored or especially gullible. Faith in their convictions creates blindspots in their judgement and renders evaluations impossible. Coronado, the famous Spanish Explorer, spent much money, men, and time searching for the Golden Cities of Cibola, never to realize that they existed only in his imagination. There are still modern prospectors searching for phantom gold mines or treasures, for fantastic and imaginary riches which exist only in legends or the minds of individuals. The view that the Vikings came up the Arkansas River in the eleventh century to carve their mark upon Poteau Mountain is equally imaginary.

I would like to mention some of the facts regarding runes, Vikings and the Heavener carvings which appear to be overlooked.

The carvings have been examined by Dr. W. E. Ham of the

Oklahoma Geological Survey who notes that they are carved upon a fallen slab of fine-grained sandstone representing the McAlester formation. He concludes that there is no geological evidence to indicate when the carvings were made—that they could have been done less than 100 years ago or more than 5,000 years ago. This evidence is not very helpful except to indicate that geology will not solve the problem.

The carvings cut into the sandstone include eight symbols or letters of two runic alphabets derived from widely separated time periods. Such mixing of the runes is not known in antiquity, even in Scandinavia, but they do occur in numerous examples dated from the 19th century.

As to what is meant by the runes—this depends upon whom you ask. It has been variously interpreted as "monument valley", "dale of gnomes", "Sun Dial Valley", or as the date of November 11, 1012. It has also been suggested as representing the name of G. Nomedal, a Norwegian place name and personal surname.

There are equally conflicting views regarding what is intended by the carvings and who made them. Many suggestions have been made other than the Vikings and the translations indicated above: They were made by the Indians and are a kind of pictographic writing; they represent branding iron designs from early pioneer days; they were carved by the Boy Scouts to indicate the Patrol name in secret code; they were carved by a wandering Swede or Norwegian to mark his visit-like "Kilroy Was Here"; probably you have heard others.

It seems to me that what is meant by the carvings is not as important as when they were carved. We have no satisfactory evidence to settle this matter, and the geological data are of no assistance. There are some personal statements based upon recollections by individuals who claim to have seen the carvings 30 or 40 years ago. I do not consider these claims as reliable evidence, however, as it is equally possible to obtain personal recollections from other individuals who claim they were not there at that time. Consequently, one must make some evaluation about the carvings in the same way that he would evaluate any other supposed antiquity or relic.

I have already pointed out that the runes are derived from two different alphabets drawn from different time periods, and that they commonly occur in Europe during the 19th century. Reputable rune scholars who have been questioned scoff at any possibility that the Heavener runes could be genuine and ancient.

If we accept them as genuine, then we must also accept the idea that these are the only genuine runes known from all

of the North American continent. To my knowledge, the only genuine runes carved on stone that have been found in the entire New World came from Greenland. Even in Greenland, where there are ample evidences of Viking occupation (such as farms, houses, burials, etc.), rune carvings are very rare. The Kensington rune stone from Minnesota is known to be a fraud; the Beardmore hoard of Viking relics is apparently a planned hoax; the Newport Tower is early Colonial period rather than Viking in fact, the only Viking remains currently established for North America appear to be the site of L'Anse aux Meadows at the tip of northern Newfoundland. Even this site, discovered only within the last few years, has produced very few Norse artifacts and no rune stones at all.

Considering all of these factors, I see no conclusion other than that the Heavener carvings are modern in date, and of no significance as far as the Vikings are concerned.

—Robert E. Bell

Provision for Waterworks in Eufaula, Indian Territory 1902

The grant for the operation of a waterworks in the incorporated town of Eufaula, Indian Territory in 1902 appears in *The Indian Journal* for Friday, March 21, 1902, No. 12, page 1 (Newspaper Department, Oklahoma Historical Society). The item is an exact copy as it appears in the newspaper:

ORDINANCE 35

An ordinance (*sic*) granting to C. E. Foley, Sam Grayson, Phillip Brown, John McFarland and Lee J. Mittenger, their heirs and assigns, the right to erect, maintain and operate a system of waterworks in the incorporated town of Eufaula, Indian Territory. Be it ordained by the town council of the incorporated town of Eufaula.

Section 1. The exclusive right is hereby granted unto C. E. Foley, Sam Grayson, Phillip Brown, John McFarland and Lee J. Mittenger, all of the Indian Territory, their associates, and assigns, to build, erect, construct, maintain, and operate a system of waterworks in the town of Eufaula, Indian Territory, for the purpose of supplying the said town and the inhabitants thereof with water for the term of 25 years, from and after April 1st, 1902, and for the purposes hereof, the said grantees are hereby authorized under and by direction of the committee on streets and alleys of said incorporated town to place, erect and maintain in and under any of the streets, lanes, alleys or other public places of said town, water pipes, hydrants and all other appurtenances necessary to supply water to the consumers thereof, and all excavations made for such purposes shall be speedily refilled and the ground service put in as good a condition as before such excavations were made.

Sec. 2. The water supply shall be from the North Canadian river or any other available source.

Sec. 3. Said waterworks shall be constructed in a workmanlike manner and be of first-class material, so as to afford efficient and proper service. There shall be provided a water tower of sufficient height and capacity to afford at all times sufficient pressure of water to maintain 70 pounds pressure to the square inch at the hydrants, when four hydrants are in operation, together with a 10-inch main distributing pipe, with not less than 6-inch distributing mains in the business streets, and pipes shall be of sufficient capacity to supply water for all purposes; and there shall further be employed at the source of such water supply sufficient power to force the necessary volume of water into and through such tower and main distributing pipes. If said water tower shall be erected within the limits of the town, it shall be

placed subject to the approval of the committee on streets and alleys. There shall be laid in said town main distributing pipes of such size and length as shall be necessary to supply water for public and private uses, except, however, that said grantees and their assigns need not construct said pipes wherever there shall not be consumers therefor, averaging at least one to every 200 feet; and extension of such pipe service shall be made by said grantees or their assigns, whenever ordered, the resolution of the town council setting forth where such extension shall be made and the length thereof: provided, however, that such extension shall be ordered only whenever a sufficient number of taxpayers shall in writing bind themselves to pay unto the grantees a water rental of at least five ($5) dollars per annum for each and every two hundred feet of such extension, or that said town shall bind itself to take and rent one additional fire hydrant for every six hundred feet or major portion thereof of such extension so ordered.

Sec. 4. Said town agrees to rent and use ten 4-inch barrel, double tipped, brass mounted, anti-freezing fire hydrants with two two and one-half inch nozzles for fire hose, from the time of the completion of the said waterworks, for and during the life of the franchise at the rate of $75 for each hydrant per annum and $55 per annum for each additional hydrant which may hereafter be erected at the request of the town.

Conditioned: That in the event the city should, at any time during the life of this contract, rent and use in all twenty or more hydrants, then rental shall be reduced to $65 per annum for the first ten, and $55 per annum for the remaining, and in case of the rental and use of forty hydrants, then, in that event, hydrant rental shall be reduced to $55 per annum for all hydrants used and rented. All hydrants to be furnished, erected and kept in repair by said grantees or their assigns.

Sec. 5. The town council hereby agrees to pass appropriate ordinances for the protection of the property of the grantees herein, and the right is hereby granted to said grantees to make proper rules and regulations for operation of said waterworks, tapping mains, depths of excavations, size of underground and surface pipes, orifices, hydrants, taps, street washers and other appliances for supplying consumers, the shutting off the water for nonpayment of rent, and preventing waste and wrongful use of water; and said rules when approved by the town council shall be adopted as and have the same effect as the ordinances of the town.

Sec 6. The town, through its council, shall have the right to purchase said waterworks and appurtenances including all

property used in the construction and operation thereof, at the expiration of this franchise, at the fair market value of the lands, works, buildings, machinery, mains, hydrants, and equipments and in case the town and owners of said waterworks and appurtenances shall fail to agree upon the terms and amounts to be paid for same, the value thereof shall be ascertained by arbitration, each of said parties to select an arbitrator and these two in case of failure to agree shall select a third, and the decision of a majority thereof shall be binding and conclusive. In case the town should not deem it expedient to purchase said waterworks, as provided, at the termination of this period of twenty five years, this franchise shall be extended for the further term of ten years, during which period of extension the town shall have the privilege of purchasing according to the terms set at any time upon serving said company with 90 days' notice, in writing, of such determination to purchase.

Sec. 7. The grantors hereby agree to furnish free and keep in repair two watering troughs for stock, and one drinking fountain for persons, and agree to furnish water free of charge to supply the same. Said troughs and fountains to be located at such place as the street and alley committee may designate, reached by the pipes of said water system.

Sec. 8. This ordinance and franchise is to continue for the term of 25 years from the first day of April, 1902; provided that actual bonafide work of construction shall be commenced on or before four months from the above date and that said waterworks shall be completed and in operation and the city furnished the water herein contracted for on or before twelve months from date, otherwise this franchise shall be declared forfeited by a majority vote of the town council and of no effect; provided, that in case of strikes, unavoidable accidents or by some act of God the construction or completion is delayed, then, in that event, the time shall be extended, so that they shall have full time set out to effect said work, without including the time lost by reason of the within named cause.

Sec. 9. This ordinance shall take effect and be in force from and after its passage and publication; provided that said grantees shall accept the same in writing within 20 days after its passage by the council and the signing of the same by the mayor of the town.

Passed and approved this 10th day of March, 1902.

T. F. TURNER, Recorder

W. R. SAMUEL, Mayor

BOOK REVIEWS

The Call to California: A Copley Book commissioned by James S. Copley. Written by Richard F. Pourade. Photography by Harry Crosby. Paintings by Lloyd Harting. (The Union-Tribune Publishing Company, San Diego, 1968. $9.50).

What a wonderful and beautiful way to present history! In telling the story of the epic journey of the Portola-Serra expedition across California in 1769, everything in this fine book is exceedingly well done. The photography is outstanding and the writing is sharp and clear, blending perfectly with contemporary accounts.

Under the military leadership of Don Caspar de Portola and the spiritual guidance of Father Junipero Serra, the expedition began their hazardous and courageous journey up the torturous spine of Baja California. Beginning at Loreto, on the Gulf of California, they traveled northward for about 400 miles, following a trail laid down by the Jesuits during the many years they had established and maintained the missions in Lower California. The last mission in the original chain was Santa Maria, two-thirds of the way up the dry, narrow peninsula. Beyond that point the expedition was on its own. The ultimate destination was the Bay of Monterey, establishing camping and mission sites along the way.

The compilers of this book have retraced the route of this expedition up the old Jesuit trail and have presented rare and exclusive views of the old missions in Baja California. Today this old trail is almost totally neglected, although modern roads closely parallel it about ten percent of its route.

Following the descriptions of landmarks and points of interest by Father Juan Crespi, who kept the official diary, the latter-day travelers have been able to view and present scenes of a California that is largely disappearing in the sweep of unprecedented growth.

Father Crespi not only kept notes on geography, but was quite descriptive of the men who made the journey. There are fascinating revelations of California's little-known Indians. In one instance, there is mention of the Spanish soldiers and their mode of dress and riding. Their leather jackets and equipment would leave a heritage for future Western cowboys.

This is a graphic story in pictures and words of the founding of California. It is predicted that there will be other books forthcoming, following this format. This one is well done and highly entertaining.

Plains Indian Raiders. The Final Phases of Warfare From The Arkansas To The Red River with original Photographs by William S. Soule. By Wilber Sturtevant Nye. (University of Oklahoma Press, Norman. 1968. Pp. 418. $9.50)

Following the end of the Civil War, the nation once again turned its face to the west. Railroads started construction of their western routes, and a growing stream of travelers and freight-laden wagons rolled across the prairies. The task of protecting these people and enterprises fell to the Army and in a short-winter campaign in 1868-69, General Phil Sheridan drove the Indians into assigned reservations south of the Arkansas River. Those tribes that had curbed western expansion, with sporadic, bloody raids, were the Kiowa, Kiowa-Apache, Comanche, Cheyenne, and Arapaho.

Once south of the Arkansas, the Indians turned their warlike activities to Texas. By 1874, the situation was so bad, that a series of military operations were launched against them, chiefly in the Texas Panhandle. When the tribes were disarmed and deprived of their horses, they were forced to surrender early in 1875. Unable to travel about to hunt the disappearing bison or to raid the settlements, the Indians had to accept government, thus ending their old free, primitive life.

Wilbur Sturtevant Nye has, once again, proved that he is our foremost historian on Indian warfare on the Southern Plains. His *Carbine and Lance,* the story of old Fort Sill, is now considered a classic. This newest book chronologically precedes *Carbine and Lance* and leads into that account, and is a companion volume.

Complementing the text, are the superb photographs of William A. Soule. As fine a craftsman as the legendary Mathew Brady, Soule recorded history as it was being made—in some instances, before it was made. He took pictures of the more warlike warriors at Fort Dodge, Kansas before their violent, bloody raids on the Texas frontier.

The Soule photographs show the still-primitive, untamed, red men, exactly how they looked, what they wore, and how they lived. Many of the pictures are published here for the first time. The story and explanation of each photograph is detailed on the facing page. An extensive bibliography and index is provided.

—Arthur Shoemaker

Hominy, Oklahoma

Stillwater Where Oklahoma Began. By Robert E. Cunningham (Arts & Humanities Council of Stillwater, Oklahoma, Inc., 1969. Pp. 256. $7.50).

While some may argue with the premise stated in the title of this book, none will deny the merit of its 54,000 words and 210 photographs. Most of the photos are from the author's 30,000-plate collection. Some of these are well-known through use in national periodicals; some have never before seen print.

Selection of both words and illustration is deft, as might be expected from a writer like Cunningham, whose *Indian Territory* (University of Oklahoma Press, 1957) tells the enchanting story of C. S. Prettyman's territorial photography. Cunningham also authored the 16 page article, *The Cherokee Strip,* featured in *American Heritage* last year on the Outlet's 75th birthday.

For anyone nearing fifty, *Stillwater Where Oklahoma Began* is a nostalgic journey back in time. More strikingly, it avoids the Chamber of Commerce flavor, prevalent in many city and county histories, by less perceptive writers.

Had not young Cunningham dropped off a train from Southwestern Oklahoma one day in 1923 to enroll as a freshman at A. & M. College (now O.S.U.), this volume could never have happened. He remained to collect two degrees, spent fifteen years in news reporting and editing, and returned from World War II to establish his own photo-engraving company. As a young reporter in the 1930's, he toured Oklahoma's back roads and small towns, begging and buying priceless glass plates from territorial photographers, many of whom were still working in the depression period. Others came from estates, forgotten store rooms and even barns.

In spite of the disputed title, Cunningham makes a strong case for the claim Oklahoma did "begin" at Still Water Creek. It was here that William L. Couch led his 200 boomers, 60 miles south from Arkansas City, on a snowy trip in December, 1884. This was to be the last of his great invasions. Forty-four days later, Colonel Edward Hatch, with 600 cavalrymen and two cannon, scattered the gritty colonists back to Kansas. Couch made at least one more trip to the Oklahoma country; but it was the dust raised along Still Water Creek that finally forced Congress to clarify the issue and bring about the opening of Oklahoma to white settlement.

Stillwater's birth and growth came hard. In the beginning Perkins and Alfred (later Mulhall) attracted the smart money. By all the rules Stillwater should have disappeared long ago. The town was twenty miles from the nearest railhead and would remain so until 1900. Moreover, there were strong doubts about the fertility of the surrounding soil. Castor beans were the principal crop in the early years.

According to Cunningham, Oklahoma City is directly responsible for location of Oklahoma State University at Stillwater. Payne County sent four of the five Populists to the first territorial legislature gathered at Guthrie in August, 1890. In their quest for the territorial capitol, a half-dozen cities ignored the quartet of unwashed Populists, except for a smart-thinking Oklahoma City group headed by "Grist Mill" Jones. With the delegation's help, Oklahoma City won the capital, only to lose the prize on the veto of Governor George W. Steele.

Backed by its new-found friends, Payne County got the agriculture school by legislative vote on Christmas Eve, 1890. Stillwater had what it wanted; but Oklahoma City was to wait twenty years for its objective.

A village of 1,000, surrounded by poor land and 20 miles from the rails, did not deserve the college; or so guessed future legislatures. So there was a bi-annual struggle to re-locate the school until the first train streamed into Stillwater in May, 1900.

Stillwater was a Newspaper "grave yard" in its pioneer years. No less than 54 publications have come and gone in the 80 years since the city's founding . . . early merchants advertised their town with a flag and lantern displayed from a 40-foot pole to guide settlers across the roadless country. "Our flag and lantern can be seen for 15 miles," wrote one gloating business man:

> "A 1908 city ordinance forbade gasoline in the residential area, even if contained in automobile tanks. So the town's first fifteen autos were stabled at a main street garage. The proprietor was the only man in Stillwater who could start a cold motor, anyhow . . . a fast-talking promoter of the 1910 era swept up most of Payne County's liquid money with a project to link Stillwater and Guthrie by interurban. Then one night he left town, with a mile of roadbed which is still visible as his memorial . . . pre-refrigeration days kept rural folk from enjoying fresh meat during the summer months; and farm families flock to Stillwater restaurants on Saturdays for steak dinners with all the trimmings, at 25c a copy."

For its smooth flowing story and its more than 200 period photos, *Stillwater Where Oklahoma Began* is Americana at its best. It is local history without geographical confine, equally interesting to the reader in Detroit or Duncan who seeks a real view of yesterday's America. It will become a collector's prize, we predict.

—Paul Bennett

Oklahoma City, Oklahoma

Books Received: Editorial Department

The Chronicles of Oklahoma

Timothy Baines. A novel by John H. Culp. (Holt, Rinehart and Winston, Inc., New York. 1969. $6.95)

John Culp, "a natural teller of tales," according to Orville Prescott of *The New York Times* justifies the fine reputation he gained with his earlier books, *The Bright Feathers* and *A Whistle in the Wind* in his most recent novel, *Timothy Baines.* Like his earlier works, this story is set in Indian Territory with much of the action taking place at Boggy Depot, a Southern stronghold and the main commissary depot during the Civil War, situated in what is now southeastern Oklahoma, and was the heart of the Choctaw Nation. The history and romance of this area during and after the Civil War is the background in this fascinating story of three people who came west and the impact their lives had on each other. This novel is important historically because it recounts vividly much western americana which Mr. Culp heard as a boy growing up in the area and which would otherwise be lost to all.

Unto A Land. By Bess Browning Pearce. (The Naylor Company, San Antonio. 1968. $7.95)

In this jet age of TV, flights to the moon and other kinds of trips, it's refreshing and almost surprising to read Bess Browning Pearce's simple, true story of the struggle of a pioneer family farming in Oklahoma Territory in 1902.

Fire from the Flint. The Amazing Careers of Thomas Dixon. By Raymond Allen Cook. (John F. Blair, Publisher. Winston-Salem, North Carolina, 1968. $6.00)

A tremendously interesting and little known story of the life of the man who wrote "The Birth of a Nation." Thomas Dixon who was reared in poverty during the South's Reconstruction became one of the most noted and successful men of his day. His brilliant mind enabled him to succeed in many careers yet controversy surrounded him and he died impoverished. His biography is ably done by Dr. Cook.

Conquest of the Prairies. By Harry Stroud. (Texian Press, Publisher. Waco, Texas, 1968. $9.50)

After all the "westerns" have been read or seen, in the final analysis it is the true historical account which is the most incredible and fascinating. Mr. Stroud has related, in an easy factual style, the story of this last frontier. Long after the rest of the nation was settled and civilized, this part of the country was living out the drama of the Indians' last, wild stand. Mr. Stroud begins with the account of the capture of seven hundred Comanches who were made prisoners and sent to Spain and continues thru with tales of exploration, famous trials, military campaigns, Indian depredations and eyewitness accounts of tragic events. If anyone ever doubted the hardships and trage-

dies endured by the people on the frontier, he should read *Conquest of the Prairies.*

Where The Wind Blew Free: Tales of Young Westerners. By Gene Jones. (W. W. Norton & Company, Inc., New York. 1967.

A remarkable collection of thrilling stories—each a true adventure—of the young men and women who "lived" the story of the west. Woven into the stories is the great factual background of the treatment of the Indians, the determination of the pioneers, the use of the land and the endless compromises of the Indians. Contains many early-day photographs.

Along the Early Trails of the Southwest. By Wayne Gard, Dean Krakel, Joe B. Frantz, Dorman H. Winfrey, H. Gordon Frost, Donald Bubar with Introduction by John H. Jenkins. (The Pemberton Press, Publisher. Austin, Texas, 1969. $14.50.)

A collection of stories about famous trails through the southwest, told by authorities on the subject—six writers from the southwest. The beautiful work of the western artist, Melvin C. Warren, makes this a collector's volume.

The South: A Central Theme? Edited by Monroe L. Billington. American Problem Studies. (Holt, Rinehart and Winston. 1969. $2.25 paper.)

Anyone interested in the South who wishes to have a better understanding of its unique position both past and present should read this slim volume with its many different articles written by experts in the history of the South. Each searches for a central theme to explain the peculiar position of the South, ie., the presence of the Negro, of an artistocracy, of an agrarian tradition, all of which total the main theme—the mystique of the South.

The Way To Rainy Mountain. By N. Scott Momaday. (The University of New Mexico Press, 1969. $4.95)

This is a beautiful book which every discerning reader will want to own. More specifically, it is the story of the journey of the author to the grave of his Kiowa grandmother. It is an evocation of three things in particular: A landscape that is incomparable, a time that is gone forever, and the human spirit, which endures.

American Indian Mythology. By Alice Marriott and Carol K. Rachlin. (Thomas Y. Crowell, Co., New York 1968. $7.95.)

A comprehensive study of Indian lore in America containing many illustrations. Told to the authors by Indians who live today, and supplemented by the findings of anthropological studies, each tale is re-created in its Indian guise.

Reminiscences of the Second Seminole War. By John Bemrose, edited by John K. Mahon. (University of Florida Press, Gainesville. 1966. $5.00.)

A personal document written by a participant in the Second Seminole War. The historical evidence found in these reminiscences is brought to life by the warmth and intelligence of the young writer, an enlisted man, who reveals much valuable information concerning the people and places in the conflict.

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

October 23, 1969

Members of the Board of Directors of the Oklahoma Historical Society met in quarterly meeting on Thursday, October 23, 1969, in the Board of Directors' Room of the Historical Building. The meeting was called to order by President Shirk at 10:00 a.m.

Members present for the meeting were: Lou Allard, Mrs. Edna Bowman, Q. B. Boydstun, Joe Curtis, Dr. E. E. Dale, W. D. Finney, Dr. LeRoy H. Fischer, Bob Foresman, Dr. A. M. Gibson, Morton R. Harrison, Dr. James Morrison, R. M. Mountcastle, Fisher Muldrow, Milt Phillips, Genevieve Seger, George H. Shirk, and Merle Woods.

Those members absent were: Henry B. Bass, Nolen Fuqua, Judge Robert Hefner, John E. Kirkpatrick, Joe McBride, W. D. McIntosh, R. G. Miller, and Earl Boyd Pierce.

It was moved by Mr. Boydstun that all members be excused that had so requested. The motion was seconded by Mr. Muldrow and passed.

The Administrative Secretary, Elmer Fraker, reported the application of forty-five people for annual membership and one for life membership. He also reported the addition of numerous gifts in the library and museum.

A motion was made by Miss Seger, and seconded by Dr. Fischer, that all new memberships be approved and the gifts be accepted with thanks. The motion passed the Board.

Again, all Board Members were urged by Mr. Fraker to read "Along The Trail" in order to keep abreast of happenings at the Oklahoma Historical Society and to save time by avoiding lengthy reports at Board Meetings.

Mr. Fraker presented to the Board the verbal resignation of Judge Robert Hefner. Judge Hefner felt, stated Mr. Fraker, that because of his inability to attend meetings and serve in an active capacity on the Board of Directors, he should resign from that position.

Mr. Phillips moved that the resignation of Judge Robert Hefner not be accepted and the Judge should be informed that the Board is honored to have him as a colleague. Miss Seger seconded the motion which passed unanimously.

It was announced by the Administrative Secretary that the Oklahoma Museums Association had selected the Oklahoma Historical Society as their meeting place for Saturday, October 25th.

The employment of Mr. Bruce Joseph was announced by Mr. Fraker. Mr. Joseph is the Education Director for the Historical Society and will work with the chief curator in setting up a program for touring groups. He will also establish a Junior Historian program.

That a plaque, "Tulsa, The Oil Capital Of The World" had been dedicated in the Tulsa Civic Center area on October 7, 1969 by the Oklahoma Historical Society and the Oklahoma Petroleum Council was reported by the Administrative Secretary.

Mr. Fraker discussed with the Board the possibility of making up a membership packet for the Board Members to distribute to their friends.

The packet would contain one of each of various pamphlets and an application for membership in the Society.

Mr. and Mrs. Douglas Colbert, formerly of California, have returned to the Fort Washita site to live, announced Mr. Fraker. They will live in the house on the grounds and protect the property from vandalism and theft.

The Treasurer's Report was given by Mrs. Bowman stating there was a balance of $375.05 in the Tour Account. Profit from the 1969 Tour was $271.83. Dr. Fischer moved, and Miss Seger seconded the motion, that Mrs. Bowman's report be accepted. This motion passed when put to a vote.

In reference to his letter of 4 June, 1969, written to the State Examiner and Inspector, Mr. Shirk reported that, as yet, no answer had been received. He also reported that the Executive Committee had authorized the Account Clerk to proceed in the accounts as had been done in the past.

Announcement was made that Mr. Shirk had been elected President of the Oklahoma Academy For State Goals.

It was announced that the Oklahoma Hall of Fame Induction Ceremonies and Statehood Day Banquet would be held November 17, 1969, at the Oklahoma Motor Hotel. Memorial Services would be held at the First Presbyterian Church at 11:00 a.m.

Mrs. Bowman reported that two Board Members, Mr. Shirk and Mr. Harrison, were to be inducted into the Hall of Fame at that time.

In his Microfilm Committee report, Mr. Phillips stated that the newspapers had been taken out of the hallway; that one half million current papers had been microfilmed this year; and that papers stored in the "contagious disease control house" would be microfilmed in the near future.

Mr. Shirk said there was nothing new to report at Fort Towson.

Mr. Curtis gave a brief report on the Library, saying that "Along The Trail" contained all the information he could report on. Dr. Gibson stated that he wished to offer his personal esteem to the library staff for their splendid job. He further stated that the Historical Society provides a fine library with a very capable staff. Mr. Curtis thanked Dr. Gibson for his remarks and asked that he be made a member of the Library Committee. The President appointed Dr. Gibson to act as Vice-Chairman of that committee.

Head librarian, Mrs. Alene Simpson, gave a brief talk about the activities of the Society Library. She stated that the Library was "everybody's library." There are 33,000 volumes of books, 15,000 pictures, and numerous rolls of census microfilm. She said that Miss Valerie Snyder is working on the card catalogue in the evenings. The vertical files are also being redone. Manuscripts used by researchers are being photocopied in order to save the original copy.

Dr. Gibson moved that the Library report, as given by Mrs. Simpson, be accepted and a statement of appreciation and gratitude to the library staff be extended. This motion was seconded by Mr. Phillips and was unanimously adopted by the Board.

Mr. Morton Harrison presented to the Oklahoma Historical Society Library the first copy of the first edition of a book on the life of Thomas Gilcrease and the Gilcrease Institute.

A report on OTIS was deferred until the next meeting.

That the Fort Sill Centennial Celebration was continuing in a satisfactory manner was reported by Mr. Finney. He suggested that the Historical Society buy a number of silver medallions to be sold at the sales desk. Miss Seger moved that the recommendation of Mr. Finney be accepted. Mr. Phillips seconded this motion. The motion passed.

On behalf of the Governor of the State of Oklahoma, Hon. Dewey F. Bartlett, Mr. Shirk presented to the Oklahoma Historical Society an Oklahoma Flag and an OKIE pin carried by Colonel Thomas P. Stafford on his Apollo X flight to the moon.

Miss Seger moved that Colonel Stafford and Governor Bartlett be thanked for these items. This motion was seconded by Mr. Phillips and unanimously carried.

Mr. Shirk reported that all details are complete for the sale of Indian Nations Memorial Survey deeds and a display of Indian Artifacts at Harrod's of London. Hon. W. E. "Dode" McIntosh would be going to London in Summer, 1970.

Dr. Fischer reported that the Honey Springs Battlefield Commission had decided to concentrate their efforts on the heartland or the main ten acres of the park area, with the hope of purchasing further acreage in the future. He stated that the main ten acres will be fenced. He also stated that Mr. Elbert Costner is working very closely with the Commission, and that Representatives Martin Odom and V. H. Odom are greatly interested in the Honey Springs Battlefield project. Dr. Fischer further stated that Representative V. H. Odom had moved that the Honey Springs Battlefield Park be included in the area to be made into the Five Civilized Tribes National Park.

A presentation of the William Fremont Harn Memorial Research Collection was made to the Oklahoma Historical Society Library by President George H. Shirk. This collection, he said, is the gift of William F. Harn's niece, Miss Florence O. Wilson. One-half of the State Capitol is located on land homesteaded by Harn. The collection contains at least a half million pages. Miss Mary Mahood of Edmond is working with Mrs. Simpson in organizing the material so that it may be used by researchers.

Mr. Muldrow moved that this collection be accepted with thanks to Miss Wilson and that she and Col. Thomas P. Stafford be made Honorary Life Members in the Society. This motion was seconded by Dr. Gibson and passed unanimously.

Mr. Phillips praised Mr. Shirk for his tremendous work and effort in the rescue and acquisition of archival material.

Dr. Fischer suggested that vast collections of archival materials be reactivated and added to the materials now available in the Indian Archives.

The Administrative Secretary stated that the 1970 Tour will be conducted mostly in the Tulsa area, with emphasis on outstanding recent acquisitions of the Society. Stops will be made at Guthrie where the Society will soon open the Oklahoma Territorial Museum, the Jim Thorpe Home at Yale where twenty-six of Jim Thorpe's medals will be on display, and Woolaroc. There will be various other stops made at museums and culture centers in Tulsa. Mr. Fraker said that this year there would be fewer stops which would allow the tourists to spend more time at each place.

Mr. Shirk stated that it had been called to his attention that a Museum Committee had not been appointed. With the Board's permission he asked to appoint the following people to the Museum Committee: Dr. LeRoy H. Fischer, Chairman; Mrs. Edna Bowman and Mr. Lou Allard.

Mr. Shirk announced that Oklahoma was receiving in excess of $5,000 in Federal Grant money to continue the work for Historic Sites Preservation under PL 89-665. He also said that arrangements have been made with Mr. Kent Ruth of Geary to do the work previously done by Mr. Lary Rampp.

On the suggestion of Mr. Fraker, Mr. Harrison moved that $500 be set up in a special fund from Account No. 18 to pay expenses of Mr. Shirk for National Historic Sites Register work. The motion was seconded by Mr. Finney and passed.

Mr. Muldrow reported on the fine ceremony held in Norman on October 21 of the plaque marking the first site of the first classes held by the University of Oklahoma.

Mr. Shirk reported that the grave of Senator Robert L. Owen at Lynchburg, Virginia, is marked, but the Society has agreed to pay for a large marker to be erected in the near future.

In his report on the State Archives project, Mr. Shirk stated that negotiations were in the process for securing the old Oklahoma City Union Station Building to be used as a sorting place for papers rescued from the contagious disease house where they had been in storage. It was also mentioned by Mr. Shirk that this building would be perfect for a State Archives Building. Mr. Allard suggested that the Oklahoma Historical Society take the initiative and assemble some background material for presenting a proposal to the Governor that the state archivist statute be changed. Along this suggestion, Mr. Shirk appointed an archival study committee consisting of Dr. Gibson and Dr. Fischer.

It being determined there was no further business to come before the meeting, Dr. Fischer moved that the meeting be adjourned. This motion was seconded by Mr. Phillips and adopted.

The meeting adjourned at 12:15 p.m.

GEORGE H. SHIRK,
President

ELMER L. FRAKER,
Administrative Secretary

GIFTS RECEIVED IN THIRD QUARTER, 1969

LIBRARY:

Benedict Pioneers in Kentucky, compiled by Marvin J. Pierce, Sr.
Donor: Oklahoma State Library, Oklahoma City, Okla.

Priests and Warriors—Social Structures for Cherokee politics in the 18th Century by Fred Gearing; American Anthropological Assoc., Vol. 64, No. 5, part 2, Oct. 1962, Memoir 93.
Donor: Helena Public Library, Helena, Montana.

Official Proceedings of the 96th Annual Communication of the Grand Lodge of Indian Territory and the 76th Annual Communication of the Grand Lodge of Oklahoma Territory and the 61st Annual Communication of the Grand Lodge of the State of Oklahoma, Ancient Free and Accepted Masons, Feb. 11, 12, 13, 1969, Guthrie, Oklahoma.
Donor: J. Fred Latham, Guthrie, Oklahoma.

Colored postal card of official Flag of the Cherokee Nation of Oklahoma.
Eastern and South Central Oklahoma Recreation and Tourism Study for Bureau of Indian Affairs, April 1965.
Feasibility Study for Cherokee Nation Housing Development at Mid-America Industrial District, Pryor, Oklahoma, 1968.
Report on Cherokee Tribal Project Lands, March 1968.
Proposed Project on Cherokee Tribal Lands of Oklahoma, March 1966.
Cherokee Tribal Land: Kenwood and Yonkers Projects, Oct. 1965.
A Study of Farm-Based Enterprises: Kenwood and Yonkers Projects.
Department of Interior News Release, August 13, 1969.
Donor: N. B. Johnson, Oklahoma City, Okla.

American Indian Painters—A Biographical Directory—Compiled by Jeanne O. Snodgrass, 1968.
Annotated Bibliography of American Indian Painting—Compiled by Doris Ostrander Dawdy, 1968.
Donor: Museum of the American Indian, Heye Foundation, New York.

Re-encounter with the Performing Arts.
Donor: New York State Library, Albany, N.Y.

Microfilm: Soundex (Index) 10th U.S. Census, 1880, Roll #28.
Donor: N. Dale Talkington, Oklahoma City, Okla.

Pages of History—Ardmore Shrine Club Books, 1965-1969, Chickasaw Historical Society.
Donor: Mac McGalliard, Ardmore, Oklahoma.

1840 Index to Georgia Census, published by Barbara Woods and Eileen Sheffield, 1969.
Donor: Romney S. Philpott, Oklahoma City, Okla.

Sequoyah—Symbol of Free Men by F. A. Harper, 1952.
Catalog of Microfilm Publications, 1967.
Yearbook of the American Clan Gregor Society, Vols. 39, 1955; 40, 1961; and Vol. 50, 1966.
Southwestern Newspapers and Historical Material on Microfilm, Microfilm Center, Inc., Dallas, Texas.
Selected Newspapers, Periodicals and Records in Microfilm, Bell and Howell, Cleveland, Ohio.
The Oklahoma Gazette—196 back issues.
Oklahoma Telephone Directories: 40.
Donor: Oklahoma State Library, Oklahoma City, Okla.

First Annual Report of the Corporation Commission of the State of Oklahoma, Guthrie, 1908.
Donor: Mrs. Walter Robertson, Oklahoma City, Okla.

It All Adds Up—The Growth of Victor Comptometer Corporation, 1968.
Donor: Author Edwin Darby, Chicago.

A Tourist Guide to History in Carroll and LeFlore Counties, Mississippi.
Floor plan of "Malmaison", Carroll County, Mississippi—home of Greenwood LeFlore.
Donor: Mrs. Peggy McCoy Tipps, Moore, Okla.

Bogner Family—Compiled by John Michael Hau, 1967.
Donor: Mr. and Mrs. John M. Hau, Oklahoma City, Okla.

Double Daily Transcontinental Rail-Air Services—Transcontinental and

Western Air, Inc. and Pennsylvania Railroad effective July 8, 1929. Xeroxed copy.
Donor: Fred Huston, Oklahoma City, Okla.

Collection of *Orbit* Sections of *Daily Oklahoman* and other Oklahoma clippings.
Donor: Harry Stallings, Oklahoma City, Okla.

Microfilm: 1880 U.S. Census, Mississippi, Roll #651, Jasper(part), Jefferson, and Jones Counties.
Donor: Cassie L. Davis, Oklahoma City, Okla.

The Ladies Music Club of Oklahoma City Yearbooks, 1913 to 1961.
Donor: Mrs. Frank Buttram, Oklahoma City, Okla.

John Mayo of Roxbury, Massachusetts 1630-1688—A Genealogical and Biographical Record of His Descendants by Chester Garst Mayo, 1965.
Donor: Author of Huntington, Vermont.

Pre-1858: English Probate Jurisdictions—Rutlandshire—Series A, No. 34, Jan. 1, 1969.
Pre-1858: English Probate Jurisdictions—Dorset—Series A, No. 37, Jan. 1, 1969.
Boundary Changes of the Former German Empire and the Effect Upon Genealogical Research. Series C, No. 4.
The Census Records of Norway, Series D, No. 12.
The Probate Records of Norway, Series D, No. 13.
Major Genealogical Record Sources in Australia, Series E. No. 2, Nov. 15, 1968.
Major Genealogical Sources in Samoa, Series E, No. 3.
Donor: The Genealogical Society, Salt Lake City, Utah.

Collection of writings of Iva Thomas Gibson.
Donor: Mrs. Lloyd Gibson, Oklahoma City, Okla.

"The Pioneer Okie Image"—from manuscript *Looking Backward Down the Furrow.*
Donor: Author David L. Wilson, Shawnee, Okla.

1969 Armed Forces Insignia—colored wall chart.
1967 Armed Forces Decorations and Awards—colored wall chart—Supt. of Documents, U.S. Government Printing Office, Washington, D.C.
Donor: Col. James Tindle, Oklahoma City, Okla.

The William McPeak Family History, 1967.
Donor: Author Hugh McPeak, Cope, California.

Michigan Heritage, Vol. 10, 1968-69.
Our Heritage—Amor Patriae, Nos. 2 & 4, 1968; Nos. 1-4, 1968-69.
Valley Leaves, Vol. 3; Index, Vol. 2.
Genealogical Forum, Vols. 17 and Vol. 18.
The Researcher, Jan., March, April, July 1969.
The Kansas City Genealogist, Vol. 9, 1968-69.
Deep South Genealogical Quarterly, Vol. 6, 1968-69.
The Descender, 1968 & 1969.
Wisconsin Helper, Vol. 2, 1968-69.
Redwood Researcher, Nos. 3 & 4, 1969.
The Arkansas Family Historian, 1968; Index to Surnames, 1968.
The Mount Hood Trackers, Vol. 9, 1967-68; Nos. 2, 3, 4, 1968.
1967 Index to *Louisiana Genealogical Register*, Vol. 14.
1968 Index to *Louisiana Genealogical Register*, Vol. 15.

Southern Arizona Genealogical Society Bulletin, Vol. 4, 1968-69.
Oregon Genealogical Society Bulletin, Vol. 7, 1968-69.
The Social, Economic, Religious and Historical Background of England As it Affects Genealogical Research, Series D. No. 10.
Stewart Clan Magazine, Vol. 46, Nos. 7-12, 1969.
Four States Genealogist, Vol. 1, 1968-69.
Cenotaph, 1968-1969.
Quarterly of Southern Texas Genealogical and Historical Society, Vol. 3, 1968-69.
Bulletin of Seattle Genealogical Society, Sept., Dec., 1968; March, June 1969.
The Columbia (Ky.) *Statesman*, June 6, 1969.
Missouri Pioneers, Vol. 5, July 1969.
"Mohr News", Vol. 2, 1968.
"The Three Old Mission Houses".
Surname and Locality Index, Yaquina Bay Genealogical Society, Newport, Oregon.
Thompson Family, Vol. 3.
DeSpain Family Organization Bulletin, June 1969.
Oregon Obits of former Oklahomans.
Vermont Life, Winter 1963-64.
Forschungsstelle Fur Mecklenburgische Familienkunde, Nov. 15, 1956.
The New Jersey Genesis, April 1963.
The Gardes and the Champlins by G. Andrew Moriarty of Maine.
"The Cannings of Bishop's Kanynge"—Xeroxed copy.
The Royal Bank of Canada Monthly Letter, Feb. 1966.
The Pennsylvania Traveler, Vol. 2, Nov. 1965.
The Burns Family and Allied Lines of North Carolina, Alabama and Texas compiled by Estella Mae Burns Stewart, 1969.
Counties of Illinois compiled by Paul Powell.
New York Genealogical and Biographical Record, April 1964.
New York History, July 1962.
History of Quincy and Its Men of Mark, 1870.
Rhode Island History, Jan. 1964.
News clipping re Large Bible from Pratt, Kansas—Mrs. Florence Sluder, Dodge City, Kansas.
History of Cavendish, Vermont from late Cecil McCann thru Oklahoma Genealogical Society.
Mawdsley-McCullough Family Association file from Helen McCullough to Oklahoma Genealogical Society.
Schuyler E. Cronley Collection:
The Genealogist's Post, Oct. 1964.
Probate Records and Wills of Oklahoma County, Oklahoma, 1889, 1899, 1900-1908.
Heston Genealogy.
Catalogue of Genealogical Records in the Montgomery County Dept. of History and Archives Old Court House, Fonda, New York, Sept. 1957.
Indiana's Birthplace—A History of Harrison County, Indiana by Wm. H. Roose, 1911.
Celtic Philology, 1958.
Genealogists' Handbook, London, England, 1961.
A Year in Genealogy, 1957.
The Scottish Genealogist, 1960, 1961, 1962.
The Howlands in America by William Howland, 1939.
Quaker Arrivals in Philadelphia, 1682-1750 by Albert C. Myers.
Surnames by Maurice S. White.
Books Relating to Ireland—History and Topography, Hodges Figgis & Co., Ltd., Ireland.

Gray Family Bulletin.
Some Torch Bearers in Indiana by Charity Dye.
The Vital Records of Londonderry, New Hampshire by Annis and Browne, 1914.
New York State Historical Assoc., Vol. 29, 1931.
Allen Family Records by J. Montgomery Seaver.
Ancestral Scrolls for: Donegal; the late President John Fitzgerald Kennedy; Lewter; Danskin; Lynch; Meisinger and Lindler.
The Ohio Researcher: 8 back issues.
Collection of publication catalogs.
Donor: Oklahoma Genealogical Society, Oklahoma City, Okla.

The Family Tree, July 1969.
Donor: Jack A. Hutcheson, Denver, Colorado.

Pontotoc County Oklahoma Cemetery Inscriptions, Vol. I, Compiled and Published by the Pontotoc County Historical and Genealogical Society, 1969.
Donor: Bessie M. Hatchett, Ada, Okla.

The Journal of the Oklahoma State Medical Association: 40 back and current issues, 1956 through 1969.
Donor: Oklahoma State Medical Association, Oklahoma City, Okla.

The William McPeak Family History, 1967.
Donor: Author Hugh McPeak, Cope, Colorado.

Heraldry and Coats of Arms in the United States, 1969.
Donor: Author Mrs. Harry Joseph Morris, Dallas, Texas.

Constitution, Treaties and Laws of the Chickasaw Nation, 1890.
A History of the Choctaw, Chickasaw and Natchez Indians by H. B. Cushman.
Donor: Lucy Venita White Short, Davis, Okla.

Five volumes of *Sanbourn Maps of Oklahoma City.*
Two volumes of *Description and Utilization of Sanbourn Maps.*
Two Index.
Donor: Ledbetter Insurance Agency, Oklahoma City.

Oklahoma Political Scrapbooks—7 books from Dec. 30, 1950 to May 13, 1954.
Donor: Joe McBride, Oklahoma City, Okla.

Point of Honor: Its Past and Its Potential, 1967.
Donor: Author S. Allen Chambers, Jr., Lynchburgh, Virginia.

Collection of Oklahoma and Oklahoma City pamphlets—18 items.
Northeast Development Study and Oklahoma City Zoo Plan.
Three booklets of Golden Spike Centennial Stamps, 1869-1969.
Donor: George H. Shirk, Oklahoma City, Okla.

Collection of Yearbooks, Biographical Material, Programs, Clippings, Musical Scores and Correspondence of The Chaminade Club and Music Study Club of Oklahoma City.
Donor: Florence O. Wilson, Oklahoma City, Okla.

The Cobbs of Tennessee 1324-1968 by Andrew S. Weddington & Christine W. Shelton.
Donor: Cully Alton Cobb, Atlanta, Georgia.

WHIPPLE COLLECTION:

California Guide Book, Capt. John C. Fremont's geographical account of

upper California, Maj. W. H. Emory's Overland Journey, notes and maps. (New York and Philadelphia: 1849).

Central Route to the Pacific from the Valley of the Mississippi to California, by E. F. Beale and Gwinn Harris Heap, 1854.

Report of the Exploring Expedition to the Rocky Mountains in the Year 1842 and to Oregon and North California in the Years 1843-44 by Brevet Capt. J. C. Fremont.

American Geology by Jules Marcou. *Field Notes of Geology,* by A. Osborn, 1858.

A Geological Map of the United States and the British Provinces of North America by Jules Marcou, 1853.

Les Roches Du Jura Et Leur Distribution Geographique Dans Les Deux Hemispheres by Jules Marcou with original autographed letter, 1856.

Military Map of Northeast Virginia, August 1, 1862, 2 maps bound copies. *Stansbury's Expedition,* surveyed 1849-1850, 2 maps, not identical, bound copies.

Pamphlet, *Estados Unidos, Cuestion de Tejas* by De Dicho Acente, 1846. *New Mexico and California,* Ex. Doc. #41 by Emory, Abert, Cooke and Johnston (incomplete), 1848.

Report on the Survey of the North and Northwest Lakes (with maps), by Capt. George G. Meade, 1859.

The Prairie Traveler (a handbook for overland expeditions) by Capt. Randolph B. Marcy, 1859.

A Letter from Honorable John S. Phelps to Citizens of Arkansas in Relation to a Pacific Railroad and other letters regarding overland mail route to California. Pacific Railroad Documents, 1857-58.

Miscellaneous documents and maps. Sitgreaves, Woodruff, Johnston, Beale, and Canal Co., 1858.

Reports, with maps, by Smith Marcy, Humphrey, and Beale 1856-59.

Annual Report of the Smithsonian Institution—3 vols.—1854, Misc. Doc. No. 73; 1855, Misc. Doc. No. 37; 1857, Misc. Doc. No. 54.

Report of Chief Topographical Engineer by A. W. Whipple, J. J. Abert, etc., 1857.

U. S. Documents, Miscellaneous, 1860—*Report of the Light House Board; Agricultural Reports; Exploration of the Rocky Mountains;* etc.
Wagon Road Routes to Utah and the Pacific—with maps, by Simpson and Campbell, Ex. Doc. No. 40 and No. 108, 1859.

Report of an Expedition Down the Zuni and Colorado Rivers by Capt. L. Sitgreaves, Ex. Doc. No. 59, 1853.

"Mexican Boundary Survey," original private journal, A. W. Whipple, 1851—two books Gila River, Gila Ford, Santa Cruz.

Extracts from Major Long's reports, 1819, Rocky Mountains, made by A. W. Whipple.

Donor: Mrs. Eleanor W. Stoddard, New York, N.Y.

Photographs Department:
John Oliver Tanedoak "Chief Swimming Bear" at Gourd Clan meeting, July 1969—2 photos.
Kiowa Gourd Clan meeting, Carnegie, Okla., July 1969—2 photos.
Kiowa Gourd Clan's Shoulder piece, beaded lance, bugle, otter staff and White Bear's war bonnet at Carnegie, Okla., July 1969—1 photo.
Cold Springs, Oklahoma, 1969—1 photo.
Stamp Mill (and acid mill) Ruins in Wichita Mountains—1 photo.
Roosevelt Round-Up Club, Snyder, Okla., July 3, 1968—1 photo.
Snyder-Mountain Park and Roosevelt Round-Up Clubs, July 3, 1968—1 photo.
Snyder-Mountain Park Round-Up Clubs, July 3, 1968—2 photos.
Queen of Mountain Park Rodeo Round-Up Club, July 3, 1968—1 photo.
J. E. Walker, July 3, 1968 at Snyder Round-Up, 1 photo.
Opening of Leonhardt Lumber's "Big L" at 59th & Interstate 35, Spring 1969—16 negatives.
Kid's Fishing Derby of Northwest Optimist at Lake Hefner, 1969—10 negatives.
Football Class B State Championship Oklahoma City, 1967 Hobart-Newkirk—12 negatives.
Football Class B State Championship Weatherford 1968 Hobart-Hominy—16 negatives.
Donor: Fred Huston, Oklahoma City, Okla.

Mary, Jake and Joseph Felz—3 photos.
Donor: Mrs. Marion Green (nee Felz), Oklahoma City, Okla.

Peggs, Cherokee Nation of Indian Territory, 1906—1 photo.
The Littlefield Family of Peggs, Cherokee Nation, Indian Territory, 1901—1 photo.
Donor: Dan Littlefield, Stillwater.

Print of painting Jesse Chisholm.
Donor: Henry Bass, Enid, Okla.

INDIAN ARCHIVES DIVISION
Minutes of meeting Ex. Committee Cherokee Nation June 14, 1969.
Donor: Cherokee Nation of Oklahoma, Tahlequah, Okla.

2 News Releases: Aug. 7, 1969 re nomination Louis R. Bruce as Commissioner Indian Affairs.
H. B. Bass *News Letter*, July, August & September 1969.
The Amerindian, July-Aug. 1968.
Indian Affairs, Sept.-Nov. 1968; Apr.-June 1969.
NCAI Sentinel Bulletin, Summer 1965.
Donor: N. B. Johnson, Oklahoma City, Okla.

Texas Libraries, Spring & Summer 1969.
Donor: Texas Library & Historical Commission, Austin, Texas.

The Oklahoma Indian Council Calendar, Aug. 5, and Oct. 11, 1969.
Donor: Will T. Nelson, Oklahoma City, Oklahoma.

Xerox copies of six letters dating from Apr. 2, 1939 to Mar. 2, 1941, from Claude E. Hensley to Mrs. Grace E. Meredith and Mr. Neifert.
Donor: Dorothy Wilkinson, Oklahoma City, Okla.

Report quarterly meeting of Inter-Tribal Council of Five Civilized Tribes, July 11, 1969.
Donor: Muskogee Area Office, Muskogee, Okla.

Tulsa Annals, Sept. 1969.
Donor: Tulsa Genealogical Society, Tulsa, Okla.

Register No. 11—Cherokee Collection.
Donor: Tennessee State Library & Archives, Nashville, Tenn.

Assiniboine Tribes v. U.S. Docket No. 279A: Additional Findings of Fact; Final Order; Opinion.
Northern Tonto, Yavapai, Western Apache, et al, Navajo Tribe v. U.S. Dockets No. 22-J, 229: Findings of Fact; Interlocutory Order; Opinion.
San Carlos, White Mountain & Western Apache and Navajo Tribe v. U.S. Dockets No. 22D & 229: Findings of Fact; Interlocutory Order; Opinion.
Yavapai, et al; Yavapai & Apache Community; Fort McDowell Mohave-Apache Community v. U. S.: Docket Nos. 22-E and 22-F: Findings of Fact on Award of Attorney fees; order allowing attorney fees.
Boise Fort Band of Chippewa Indians, et al. v. U.S., Docket No. 18-D: Findings of Fact; Order granting plaintiffs' motion; opinion.
Cowlitz Tribe v. U.S., Docket No. 218: Findings of Fact; Interlocutory Order; Opinion.
Creek Nation v. U.S., Docket No. 167: Additional Findings of Fact; Interlocutory Order; Opinion.
Absentee Delaware Tribe of Okla. v. U.S., Docket Nos. 72 & 298: Findings of Fact; Final Award; Opinion.
Fort Berthold Reservation, 3 tribes of, v. U.S., Dockets No. 35a A, E & H: Findings of Fact; Final Judgment.
Havasupai Tribe v. U.S., Docket No. 91: Additional Findings of Fact; Final Judgment.
Klamath & Modoc Indians and Yahooskin Band of Snake Indians vs. U.S.; Docket No. 100A: Final Judgment.
Lummi Indians v. U.S., Docket No. 110: Order amending Findings of Fact and Interlocutory Award; Opinion.
Mission Indians of California, v. U.S. Docket No. 80-C: Findings of Fact; Final Order; Opinion.
Mission Indians, Cabooza Band v. U.S., Docket No. 148: Findings of Fact; Interlocutory Order; Opinion.
Misqually Tribe v. U.S., Docket No. 197: Findings of Fact; Interlocutory Order; Opinion.
Osage Nation v. U.S., Docket No. 105: Additional Findings of Fact; Opinion.
Papago Indians v. U.S., Docket No. 345: Additional Findings of Fact; Interlocutory Order; Amended Interlocutory Order.
Pima-Maricopa Indians, Gila River v. U.S., Docket No. 236-J: Order Dismissing Petition.
Pueblo of Taos v. U.S., Docket No. 357: Order granting leave to Amend petition.
Pueblo de Zia, et al v. U.S., Docket No. 137: Opinion on defendant's motion for a pretrial determination of basis for appraisal of gratuitous offsets of real property; order.
Sac & Fox Tribe of Oklahoma, Missouri & Iowa v. U.S., Docket No. 143: Order allowing attorney's reimbursable expenses.
Sioux Tribe of Cheyenne River, So. Dak. v. U.S., Docket No. 114: Findings of Fact; Final Judgment.
Sioux Tribe, et al v. U.S., Docket No. 74: Opinion.
Squaxin Tribe v. U.S., Docket No. 206: Findings of Fact; Interlocutory Order; Opinion.
Southern Ute Tribe v. U.S., Docket No. 328: Additional Findings of Fact; Order transmitting Findings.
Tee-hit-ton Indians v. U.S., Docket No. 171: Order Dismissing Petition.
Donor: Indians Claims Commission, Washington, D.C.

MUSEUM:

Woman's dress, 19th Century.
Donor: Mrs. Vinold L. Clark, Midwest City, Okla.

Petroleum Supply and Transportation Exhibit.
Donor: Phillips Petroleum Company, Bartlesville, Okla.

Part of a box, "Christy-Crackers, Cakes & Biscuits," 19th Century.
Donor: Mrs. I. G. Hamburger, Oklahoma City, Okla.

A 45-star American Flag
Donor: Mrs. Helen Blanchard, Oklahoma City, Okla.

Lace Shawl, middle 17th Century.
Donor: Mrs. G. L. Wheeler, Friendswood, Texas.

Treaty, United States and the Osage Nation, June 2, 1825.
Donor: Mrs. Frank Mahan, Oklahoma City, Okla.

Inaugural gown, slippers and beaded headband.
Donor: Mrs. Ann Bartlett, Oklahoma City, Okla.

World War I uniform, Army-issued Bible, Army manuals, books, booklets, album. Gift in name of Arthur Louis Seward.
Donors: Mr. and Mrs. James L. Seward, Bethany, Okla.

Telegraph key (1893), photographs, biography of Arthur T. Seward, clipping, typeset.
Donors: Mr. and Mrs. James L. Seward, Bethany, Okla.

Sandstone whetstone.
Donor: Mr. J. E. Corbin, Oklahoma City, Okla.

Lace Doily, linen scarf, bedspread, other linens, calendar.
Donor: Mrs. Marie Basore, Oklahoma City, Okla.

Stone adz, stone ax head, tomahawk head, grinders, and projectile points.
Donor: Dr. A. R. Leas, El Reno, Okla.

Oklahoma State of the Union Medals, bronze and silver.
Donor: Capitol Medals, Inc., High Point, North Carolina.

Students' identification card, Dallas Railway Company, June, 1923.
Donor: A. C. Jordan, Oklahoma City, Okla.

Hair wreath in oval frame, gift from Mabel, Zetta and Winnifred Ash family.
Donor: Mabel Ash Wyatt, Tulsa, Okla.

Silk scarf, "1000 Delegates from Chickasha For Single Statehood, January 6, 1903."
Donor: Miss Bertie L. Powar, Chickasha, Okla.

Homestead certificate, cancelled check, quilt block, photographs, pillow case, comb, medal, tax receipt, and copy of a poem and pamphlet.
Donor: Mrs. Eva Lou Dunn, Oklahoma City, Okla.

Winchester .32 caliber, Colt .45 revolver with holster and cartridge belt, Choctaw Nation.
Donor: Philip P. McBride, Minneapolis, Minn.

Two counterpanes, one quilt top. (Peter Conser Home Museum).
Donor: Gladys Henson Turney, Poteau, Okla.

Wash stand, three chairs, stand table, coal oil lamp and chimney, dresser, bookcase, clock chimes, farm equipment, dining table, desk, papers, documents, books, pictures. (Peter Conser Home Museum.)
Donors: Mr. and Mrs. Lewis Barnes, Houston, Texas.

Certificate—Appointment as Postmaster, China dinner plate, diploma from Tuskahoma Female Institute, coal oil lamp and chimney. (Peter Conser Home Museum).
Donor: Mrs. Ada Conser Carnall, Houston, Texas.

Iron bedstead. (Peter Conser Home Museum).
Donors: Mr. and Mrs. Fred Thompson, Wister, Okla.

Gavel owned by former Governor William J. Holloway. (Governor's House Museum).
Donor: The late William J. Holloway, Oklahoma City, Okla.

Gavel used by former Governor Henry S. Johnston. (Governor's House Museum).
Donor: Mrs. Henry S. Johnston, Perry, Okla.

Woman's homespun dress, middle 19th Century.
Donor: Mrs. Dixie Blackledge, Fairview, Okla.

Sod plow, platform rocker, table, jewelry, documents, toys, glassware, silver, linens, laces, other items. (Sod House Museum)
Donor: Mrs. D. E. Carpenter, Stillwater, Okla.

Lucille Mulhall's beaded belts, beaded vest. (Territorial Museum).
Donor: Mrs. Martha Mulhall Swanson, Guthrie, Okla.

Two 1899 dictionaries. (Territorial Museum).
Donor: Mrs. Ruby Charvoy, Guthrie, Okla.

Court records, 1893-96, Guthrie, Oklahoma Territory.
Donor: James I. McLaughlin, Edmond, Okla. (Territorial Museum).

Wedding gloves and slippers, fan, shaving mirror, watch fob, pins, books,
Donor: Dale Dewart, Guthrie, Okla. (Territorial Museum).

Dated railroad nails.
Donor: Les Gray, Guthrie, Okla. (Territorial Museum).

Photo of seal, "Logan Sweet Potatoes Growers Assn.," book, "Makers of Oklahoma." Judge Frank Dale's office items including briefcase; letter basket, ink well, small wall shelf. (Territorial Museum).
Donor: Mrs. Harry F. Brown, Guthrie, Okla.

Photo, Fourth Legislative Assembly of Oklahoma, 1897. (Territorial Museum).
Donor: Reverend and Mrs. J. Martin Edwards, Guthrie, Okla.

Desk from Guthrie Constitutional Convention. (Territorial Museum).
Donor: Mrs. Floyd McVicker, Guthrie, Okla.

Doorknob with state seal (Room 17, Royal Hotel, Guthrie), two 45-star American flags, books, document, Confederate currency. (Territorial Museum).
Donor: Don Odom, Guthrie, Okla.

Photographs, letters, booklets, newspaper clippings, legal papers, metal sign, "Gaffney Company," and gasoline pump. (Territorial Museum).
Donors: Mr. and Mrs. Fairfield Tryon, Guthrie, Okla.

Dated railroad tie nails. (Territorial Museum).
Donor: Roy Fuller, Newton, Kansas.

Photographs: Jim Thorpe, Iva Thorpe, and family. (Jim Thorpe Home Museum).
Donor: Mrs. M. M. Melott, Oklahoma City, Okla.

Dining table, buffet, six chairs and two photographs, (the Jim Thorpe family). (Jim Thorpe Home Museum).
Donor: Mrs. Mae Foss, Cleveland, Okla.

Military helmet, Indian Police, Okla.
Donor: Roy E. Traband, Oklahoma City, Okla.

Belt, leather—Tyrolean.
Donor: E. Johnston, Oklahoma City, Okla.

Quilt, handmade, 19th Century.
Donor: Mildred L. Gray, Oklahoma City, Okla.

Barbed wire section. (Sod House Museum).
Donor: Harry Butler, Taloga, Okla.

Food Safe, 1800's. (Sod House Museum).
Donor: Mrs. Olive White, Aline, Okla.

Hide stretchers.
Donor: Mr. Joseph Briggs, Taloga, Okla.

Framed poem, "The Castle on the Hill."
Donor: Elizabeth H. Fredericks, Ponca City, Okla.

Button from Sequoyah's cabin site.
Donor: Neiley Barnett, Sallisaw, Okla.

Dress and bonnet, 1889 style. (Sod House Museum).
Donor: Mr. and Mrs. William Maus, Fairview, Okla.

Clevice, hames ring, repair link, horseshoe part, body bolt washer, railroad spikes, bridge washer, nut, bolts.
Donor: Riely Leon Townsend, Oklahoma City, Okla.

Oil field tools and equipment.
Donor: Glenn Gillespie, Cushing, Okla.

Handwoven, woolen shawl, 19th Century.
Donor: Clara Bullard, Norman, Okla.

Umbrella, Brownie camera, clothing, French book (World War I), U.D.C. Program (1965), prescription blank.
Donor: Helen Ardrey Johnson, Ardmore, Okla.

Pioneer apron, gun belt.
Donor: Mrs. Dale Smith, Leo O'Brien, and William O'Brien, Oklahoma City, Okla.

Gavel, block of marble, Mayor's Office, Oklahoma City, Okla.
Donor: Hon. Frank Martin, Oklahoma City, Okla.

Gavel and gavel block, Mayor's Office, Oklahoma City, Okla.
Donor: Hon. George Shirk, Oklahoma City, Okla.

Surveyor transit with case, spirit levels and sights, transitman commission and resignation.
Donor: Robert G. Elliott, Oklahoma City, Okla.

Saddle, washing machine, and blacksmith's blower. (Sod House Museum).
Donor: Thomas H. Rose, Aline, Okla.

Marshall McCully family household utensils, linens, items of clothing, toys, farm tools, and dining table. (Sod House Museum).
Donor: Mr. and Mrs. H. L. Elliott, Aline, Okla.

Underskirt, white cotton, 19th Century.
Donor: Mrs. Joe Bruton, Oklahoma City, Okla.

Quilt, handwoven, 19th Cent.
Donor: Mary Ellen Smith, Oklahoma City, Okla.

Quilt, patchwork, log cabin pattern, 19th Century.
Donor: Mrs. Calvin Wyman, Aline, Okla.

Indian leggings, moccasins, blanket, and feather bonnet, in honor of Mr. and Mrs. Frank Hill.
Donor: Forest Hill, Oklahoma City, Okla.

"Country Friends," story book; advertising fan of cardboard, "Mother's Love."
Donor: Mrs. H. C. Wright, Aline, Okla.

Planting lister.
Donor: Donald L. Harris, Waynoka, Okla.

U.S. Flag, 48 stars.
Donor: Mrs. Leroy Bouldin, Oklahoma City, Okla.

Clothing, baby and adult articles, early 19th Century; photographs.
Donor: Mrs. Marion Green, Midwest City, Okla.

Two canteens, early light bulb, three boxes of documents.
Donor: Mr. and Mrs. Thomas S. Redwine, Oklahoma City, Okla.

Heavily encrusted hub-like iron object.
Donor: Terry Montgomery, Oklahoma City, Okla.

Multigraph folder, early 19th Century.
Donor: E. W. Zink, Oklahoma City, Okla.

Panels—"Oil Town, U.S.A."
Donor: J. W. Woods, Halliburton Services, Duncan, Okla.

Philippines currency, ten centavos.
Donor: Wilfredo Samson, the Philippines.

Convention badge, Oklahoma Territorial Teachers' Association, 1897.
Donor: Charles E. Jones, Ann Arbor, Mich.

Surveyor's chain, Dawes Commission, Indian Territory, Choctaw Nation.
Donor: E. H. Peithman family, Carbondale, Ill.

Campaign button, "John Fields for Governor."
Donor: Ella M. Burgess, Mannsville, Okla.

Lap robe, handwoven coverlette, woolen blanket; flag, two razors, in cases; five pocket knives in case; two razor hones; a badge for GAR post, Hunt, Texas; a Civil War veteran's badge; a small Confederate flag.
Donor: Mrs. H. E. Porter, Oklahoma City, Okla.

Feather bonnet, Osage; woman's buckskin-boots, Osage; silk fringed shawl, Osage; beaded headband, Osage.
Donor: Mr. and Mrs. C. Gray, Santa Barbara, Calif.

Cape, woman's, black, beaded, 19th Century.
Donor: Nettie McC. King, Oklahoma City, Okla.

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* All members in Oklahoma unless otherwise designated.

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